

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** August 26, 2009  
**TO:** Sophia Fisher, Project Manager, Land Use Review  
**FROM:** Kelly Williams, Planner, Community Planning  
**SUBJECT:** ZMAP 2007-0006, SPEX 2007-0054 Woodland Plaza, Tall Oaks Subdivision, Lot 1, 2<sup>nd</sup> Referral

**BACKGROUND**

The applicants, Moe and Susan Gharai, are requesting a rezoning to convert Lot 1, of the Tall Oaks Subdivision from PD-IP (Planned Development-Industrial Park) under the 1972 Zoning Ordinance to PD-IP under the 1993 Revised Zoning Ordinance. They are also seeking a Special Exception for office uses in the PD-IP district and a Zoning Modification to modify the required 75 foot setback from Cascades Parkway to 35 feet.

The Tall Oaks project consists of approximately 1.6 acres located on northwest corner of Woodland Drive and Cascades Parkway. There is an existing house on the property which is intended to be remodeled and converted into office space. The remainder of the parcel is currently being used for parking and outdoor storage. Warehouse uses are located to the west of the site and a vacant lot is located directly north of the site. Claude Moore Park is located to the east of the site across Cascades Parkway. A mini-storage facility is located across Woodland Road.

This is the second submission of the application. The applicant has responded to first submission comments by providing a revised statement of justification, response letter and a revised Concept Development Plan (CDP) dated June 30, 2009. This referral is intended to be supplementary to Community Planning's January 31, 2008 referral.

**OUTSTANDING ISSUES**

**Land Use**

In order to determine if the use is in conformance with the Keynote Employment policies, staff requested additional information regarding the type of by-right uses that are planned for this development, the design and architecture of the buildings, including elevations and materials, and how the site would be designed so that the office buildings (not the parking) would be the prominent features on the site when viewed from external roads.

In accordance with the submitted proffers, it appears that the uses allowed on this site would be a mix of predominately office and light industrial uses, along with ancillary retail and service uses. The Keynote Employment Policies of the Plan limit the amount of ancillary retail and service uses to ten percent of the land area (Revised General Plan, Chapter 6, Suburban Policy Area, Keynote Employment Policies, policy 4). The Retail Plan further limits the retail component to five percent of the gross floor area of the (Retail Plan, Employment Supportive Retail Centers, policy 2). In order to comply with the Plan's policies to create a Keynote Employment development, the retail component should be limited to only five percent of the gross floor area of the site.

The application has been revised to include elevations of the proposed buildings. The existing building is proposed to be remodeled to exhibit a two-story office style structure. In general, the materials and building design are in keeping with the Keynote design guidelines. However, the façade facing Cascades Parkway presents a "blank-wall" view of the building, as the elevation has no windows on the northern half of the building. The building should be redesigned so that the front of the building is facing Cascades Parkway.

As stated in the first referral, parking should not be located at the front of the buildings (Revised General Plan, Design Guidelines, Light Industrial and Regional Office, b. Streetscape, text). There are two entrances into the site proposed along Woodland Drive with the parking area located in front of the buildings along the roadway. This is not in keeping with the design objectives of the Plan.

***Staff recommends that the applicant commit to limiting the retail uses to five percent of the total square footage of the buildings in order to be considered ancillary to the development as envisioned by the Keynote Policies of the Revised General Plan and the Retail Plan.***

***Further, it is recommended that the front of the eastern office building face toward Cascades Parkway and that the site be designed to have the buildings the prominent feature on-site with the parking located to the rear of the building. Staff recommends the applicant commit to the details on the proposed design, architecture and building materials.***

### **Existing Conditions**

#### **Wetlands**

A wetlands permit was granted on October 8, 2008 by the Department of Environmental Quality for disturbance of up to 0.10 acres of wetlands and or 300 linear feet of stream channels on this site.

***Staff continues to recommend that any mitigation required as a part of the wetlands permit with the Department of Environmental Quality be provided on-site or within the impacted policy area.***



## **Design**

### **1. Landscaping and Buffering**

The application indicates that landscaping and buffering will be in accordance with the regulations of the Revised 1993 Zoning Ordinance.

***Staff continues to recommend a condition of approval to ensure the landscaped areas will be maintained for the life of the project. The use of native plant and tree species is encouraged.***

### **2. Pedestrian and Bicycle Circulation**

The application has been revised to include a 10-foot wide trail along Cascades Parkway and a 5-foot wide sidewalk along Woodland Road.

***Staff recommends that the sidewalk along Woodland Road be increased from 5 feet to 6 feet with vegetated buffers of at least 4 feet provided between these facilities and the adjacent roadways. Staff continues to recommend that the applicant install appropriate intersection treatments so that employees can safely cross Cascades Parkway to the adjacent Claude Moore Park and its trail system.***

### **3. Open Space**

Staff recommended that the proposed development be revised to provide adequate public open space, other than just landscaped buffer areas, within the proposed development, including usable outdoor space for employees.

The response letter dated June 29, 2009 indicates that usable public open space in the southeast corner of the property, however, it has not been identified on the CDP.

***Staff continues to recommend that the CDP be updated to include the area for public open space.***

### **4. Lighting**

The application indicates that lighting shall be designed in accordance with the requirements set forth in the Zoning Ordinance.

***Staff finds that the lighting proposed in the application addresses the lighting policies of the Revised General Plan.***

## **Zoning Modification**

A zoning modification is being requested to allow the existing building to remain within the required building setback along Cascades Parkway. In the first referral, staff recommended that the site be designed more in keeping with the Keynote Policies by removing the existing building. The revised CDP includes a building design that renovates the existing house into a two-story office style building that is more in keeping with the building scale and design elements as anticipated by the Plan.

***Staff recommends that commitments be made to the design, architecture and building materials as proposed on the CDP.***

## **RECOMMENDATIONS**

Staff can support the Rezoning and Special Exception request if the following items related to site design are addressed. Specifically,

- Relocate the parking to the rear of the building as called for in the Keynote Employment policies or demonstrate how the parking will be screened and the buildings will be the predominate feature on the site;
- Re-orient the front façade of the office building toward Cascades Parkway to avoid presenting a "blank-wall" façade toward the roadway;
- Commit to the details on the proposed design, architecture and building materials;
- Commit to providing any mitigation required as a part of the wetlands permit with the Department of Environmental Quality on-site or within the impacted policy area;
- Provide a 6 foot sidewalk along Woodland Road;
- Provide a condition of approval to ensure the landscaped areas will be maintained for the life of the project; and,
- Locate usable outdoor space on the CDP.

cc: Julie Pastor, AICP, Director, Planning Department  
Cindy Keegan, AICP, Program Manager, Community Planning, via e-mail



**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** January 31, 2008  
**TO:** Sophia Fisher, Project Manager, Land Use Review  
**FROM:** Kelly Williams, Planner, Community Planning  
**SUBJECT:** **ZMAP 2007-0006, Spex 2007-0054 Woodland Plaza, Tall Oaks Subdivision, Lot 1**

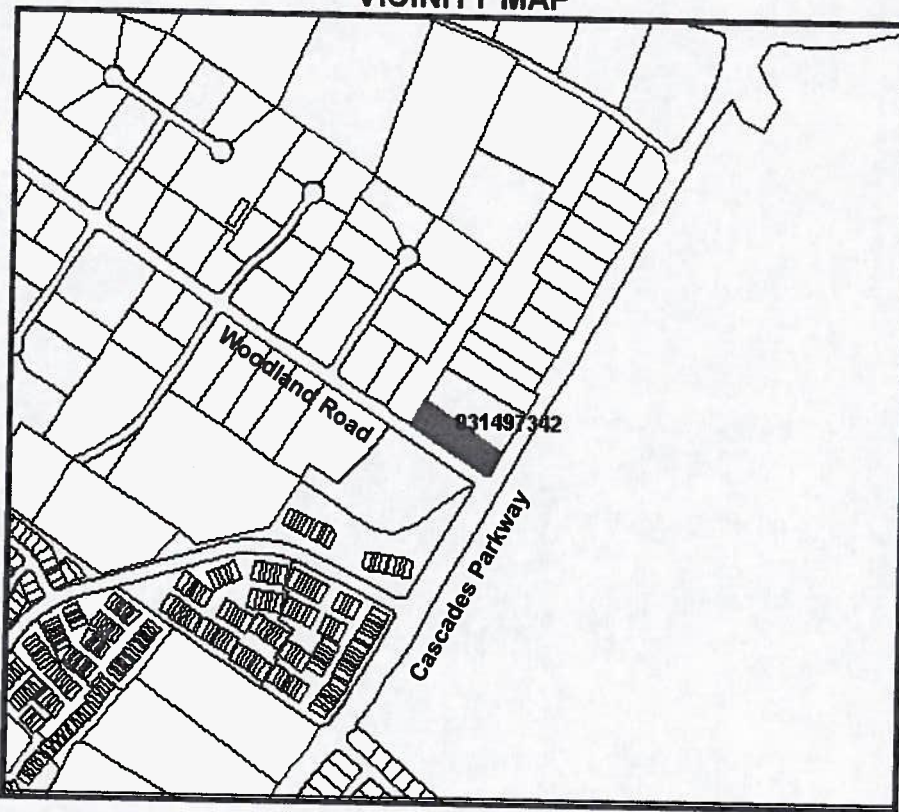
**BACKGROUND**

The applicants, Moe and Susan Gharai, are requesting a rezoning to convert Lot 1 of the Oaks Subdivision from PD-IP (Planned Development-Industrial Park) under the *1972 Zoning Ordinance* to PD-IP under the revised *1993 Zoning Ordinance*. They are also seeking a Special Exception for office uses in the PD-IP district and a Zoning Modification to modify the required 75' setback from Cascades Parkway to 35'.

The Tall Oaks project consists of approximately 1.6 acres located on northwest corner of Woodland Drive and Cascades Parkway. There is an existing house on the property which is intended to be converted into office space. The remainder of the parcel is currently being used for parking and outdoor storage. Warehouse uses are located to the west of the site and a vacant lot is located directly north of the site. Claude Moore Park is located to the east of the site across Cascades Parkway. A mini-storage facility is located across Woodland Road.

A review of County GIS records indicates that the following elements of the County's Green Infrastructure are present on the subject property: minimal forest cover and trees, heritage resources, and hydric soils. Three existing structures, including one residence and two outbuildings, have been identified. The applicant has also identified a small area of wetlands associated with a drainage swale on the property. No floodplains or steep slopes are present.

### VICINITY MAP



### COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is governed under the policies outlined in the Revised General Plan. The site is located within the Suburban Policy Area. The Revised General Plan identifies the site as suitable for Keynote Employment uses (Revised General Plan, Planned Land Use Map). Additionally, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Countywide Retail Policy Plan Amendment (Retail Plan) apply.

### ANALYSIS

#### Land Use

The Plan describes Keynote Employment Centers as areas that "are intended to be 100-percent premier office or research-and-development centers..." (Revised General Plan, text, pg. 6-28). The Revised General Plan's intent is to achieve and sustain a built environment of high quality (Revised General Plan, Policy 1, p. 5-5). The Revised General Plan states that "Keynote Employment developments...should have the general characteristics of Regional Office developments (Revised General Plan, text, p. 11-14). The Plan states that Regional Office developments will "emulate the key traditional design concepts of the Revised General Plan by addressing the design and function of exterior spaces, pedestrian access from adjoining residential uses and architectural cohesiveness and environmental conservation" (Revised General Plan, text, p. 11-14). Furthermore, they "will be the prominent features of the community when



viewed from periphery roads" (*Revised General Plan, text, p. 11-14*). Parking should not be located at the front of the buildings (*Revised General Plan, text, p. 11-15*).

The application proposes to utilize the existing house of 2,492 square feet for office space and construct a two-story building for 15,480 office and by-right uses on the remainder of the property. It is anticipated that development within a designated Keynote Employment area will be 100% office use. Proposed by-right uses should be compatible with office uses proposed.

***In order to determine if the use is in conformance with the Keynote policies, staff requests more specific information regarding the type of by-right uses that are planned for this development.***

There are two entrances into the site proposed along Woodland Drive with the parking area located in front of the office building. It appears that landscaping and berming will be provided along the road frontages and along the adjacent property lines. No other design features have been included in the submitted materials. The application does not demonstrate the design elements, such as the design and function of exterior spaces, pedestrian access, architectural cohesiveness or building prominence that are envisioned by the Plan. The application does not provide information pertaining to the design, building materials, and colors of the proposed uses.

***Staff requests specific information regarding the proposed design and architecture of the development and how it relates to the design guidelines for Keynote Employment areas. This information should include, at a minimum, the types of materials that will be used on the exterior elevations, color of these materials, and information demonstrating the proposed facility is architecturally compatible with the surrounding areas. The design of the site should be consistent with the high quality elements of Keynote Employment.***

***Staff recommends that the site be designed so that the office buildings (not the parking) are the prominent features on the site when viewed from external roads.***

### **Existing Conditions**

#### **1. Wetlands**

Protecting groundwater and surface water (e.g., streams and wetlands) from contamination and pollution is a major water resource issue for the County (*Revised General Plan, text, p. 5-12*). The County supports the federal goal of no net loss to wetlands in the County (*Revised General Plan, Policy 23, p. 5-11*).

Information regarding the location of wetlands has been submitted and wetlands have been delineated. The wetlands appear to be associated with the drainage

swale that transverses the property. Staff is concerned about the impacts to wetlands on site. Wetlands are a vital part of certain plant and animal habitats, and they regulate flow for rivers and streams by filtering pollutants and fertilizers.

***If disturbance of the wetlands cannot be avoided, staff recommends they be mitigated on-site or within the impacted policy area.***

## **2. Historic Resources**

The County has developed specific policies for the protection and preservation of historic resources. The policy outlines the County's commitment to protecting structures and other features of particular historical significance in the context of their natural settings while working with landowners to convey the historic value of the resource to the community at large (Revised General Plan, p.5-35, Policy 8). The policy actively promotes the retention and adaptive re-use of historic structures as part of any new development application (Revised General Plan, p.5-35, Policy 9).

This site contains a house that was built in the 1950's and has been identified as an architectural resource by the Department of Historic Resources (survey form #053-5515). According to the site survey form it was noted that "the property lacks any associations with significant events or persons in our history, and does not possess sufficient architectural significance." The resource does not appear to be eligible for the National Register. The Special Exception application indicates that the house will be utilized in the development as office space.

***Given the above information, staff could support the removal of the existing house to better accommodate an office development that could be designed more closely with the Keynote policies of the Plan. The proposed office building could be enlarged and reconfigured to front along the roadway, with parking to the rear of the building as envisioned by the Plan.***

## **Design**

### **1. Landscaping and Buffering**

Keynote Employment areas have "high visibility along major corridors, their structures accented with heavily landscaped greens and tree-lined boulevards, and reflect the County's growing prominence as a global crossroads for business" (Revised General Plan, text, p. 6-27). The Plan calls for areas designated for Keynote Employment to generally maintain large front and side yards to permit extensive landscaping and design features to accentuate the larger-scale buildings.

The submitted plat provides a Type 4 buffer along Woodland Road, Cascades Parkway and the adjacent lot to the west. Type 4 buffers consist of a 20' to 30' wide mixed vegetative buffer (canopy, understory and evergreen trees and shrubs) along with a berm or fence. A Type 3 bufferyard is proposed along the



adjacent boundary to the north which would include a mixed vegetative buffer between 20' to 30' wide.

***Staff finds that the landscaping plan as depicted on the plat in general addresses the landscaping and buffering policies of the Revised General Plan. Staff recommends a condition to ensure the landscaped areas will be maintained for the life of the project. The use of native plant and tree species is encouraged.***

## **2. Pedestrian and Bicycle Circulation**

The County is committed to establishing an integrated trails system for pedestrians and cyclists, and will work to establish connections among pedestrian and bicycle sidewalks, paths, and trails (Revised General Plan, text, p. 5-39). The Revised General Plan calls for "collector and local access streets...to be considered the main "public rooms" of a community" and that they "should be designed to accommodate pedestrian movement and the daytime parking of cars, foreground and entryway into buildings and, to a lesser extent, interactive social space" (Revised General Plan, Design Guidelines, p. 11-14).

Cascades Parkway is a Baseline Connecting Roadway for the County Bicycle and Pedestrian Network (BPMMP, East Loudoun County Network Map). Baseline Connecting Roadways are to integrate bicycle and pedestrian accommodations as part of the land development process and are to include shared-use paths. Shared-use paths are to be 10 feet wide and paved (BPMMP, text, p. 42, & Policy 1, p. 46). Other roads, as a minimum, will have sidewalks on both sides, with widths from 5 to 6 feet. Vegetated buffers shall also be provided between roads and sidewalks. Six-foot wide sidewalks will feature 4-foot wide vegetated buffers (BPMMP, Policy 2, p. 31).

The project area features no pedestrian or bicycle connections. Roadway frontages in this area have dirt trails, where pedestrians have worn paths in the grass along property frontages. The Concept Plan shows no bicycle or pedestrian facilities.

***Staff recommends that the applicant provide a 10-foot wide shared-use path along Cascades Parkway and a 6-foot wide sidewalk along Woodland Road. Vegetated buffers of at least 4 feet should be provided between these facilities and the adjacent roadways. Staff recommends that the applicant consult with the Office of Transportation Services (OTS) on the design of bicycle and pedestrian facilities. Additionally, the applicant should install appropriate intersection treatments so that employees can safely cross Cascades Parkway to the adjacent Claude Moore Park and its trail system. Overall, safe pedestrian and bicycle links should be provided within the proposed development, along property frontages, into the development, and to adjacent parcels.***

### 3. Open Space

The Revised General Plan policies call for Business communities to provide a minimum of 10% open space (Revised General Plan, Policies 2 & 5, p. 6-29). The Plan states that "interesting public open spaces and parks" will help create a unique community (Revised General Plan, Design Guidelines, p. 11-14). Business and Industrial land use areas will provide public and civic space of the following types: plazas, public art, entrance features" (Revised General Plan, Policy 2, p. 6-10). It does not appear that the application is providing any usable outdoor space.

***Staff recommends that the proposed development be revised to provide adequate public open space, other than just landscaped buffer areas, within the proposed development, including usable outdoor space for employees.***

### 4. Lighting

The Revised General Plan states that "the beauty of the County's night sky is threatened by excessive and improper lighting. Artificial lighting is intended to be minimized and light pollution reduced while maintaining the primary purpose of lighting for public safety and visibility" (Revised General Plan, text, p. 5-31). The Retail Plan further specifies that all lighting should be designed to reduce glare and spillage of light onto adjoining properties and streets. "Fixtures should be attractive site elements that are compatible with the architecture of the retail center" (Retail Plan, Policy D2, p. 21).

The application indicates that lighting shall be designed in accordance with the requirements set forth in the Zoning Ordinance.

***Staff finds that the lighting proposed in the application addresses the lighting policies of the Revised General Plan. Staff recommends conditions of approval that will implement the proposed lighting including the use of decorative lighting compatible with a high visual quality designed building.***

### Zoning Modification

The applicants are requesting a zoning modification to allow the existing building to remain within the required building setback along Cascades Parkway. As indicated above, staff is recommending that the site be designed more in keeping with the Keynote Policies by removing the existing building. If this is the case, the zoning modification would not be necessary.

***Staff defers comments on the proposed modification until such time as site design is finalized.***



### **RECOMMENDATIONS**

Staff is not able to support the Special Exception request at this time. Although staff supports the proposed office use, the design guidelines for uses in Keynote Employment areas should be addressed. Specifically,

- Removal of the existing building to accommodate better site design;
- Making the building the prominent feature on the site;
- Provide details on the proposed design and architecture;
- Provide pedestrian/bicycle connections; and,
- Provide usable outdoor space for employees.

Staff would be happy to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Director, Planning Department  
Cindy Keegan, AICP, Program Manager, Community Planning

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## ZONING ADMINISTRATION 3<sup>rd</sup> REFERRAL

**DATE:** July 6, 2010  
**TO:** Sophia Fisher, Project Manager  
**THROUGH:** Marilee Seigfried, Deputy Zoning Administrator  
**FROM:** Cindy Lintz, Zoning Administration  
**SUBJECT:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1  
**LCTM:** /81/B/3/////1/ **MCPI:**031-49-7342-000

The Zoning Administration has reviewed the third submission of the above referenced application and has the following comments:

### ISSUES

1. Per Section 6-1504, *No modification shall be approved unless the Board of Supervisors finds that such modifications to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.* Provide justification on how each modification meets the requirements of Section 6-1504.
2. Sheet 3, label the limits of the Special Exception. Under the proposed use, state "Office use per 4-504(A) and all other uses permitted in PD-IP under the R1993 Zoning Ordinance that are not proffered out."
3. Clarify the size of the existing building footprint. There is a discrepancy between County Records, Statement of Justification and the Plat.

### PLAT

4. Since Sheet A1 is a proffered sheet, so there are 5 sheets. Number consecutively the sheets.
5. Sheet 1, The plat should not have 2 titles. Delete or move up to the title "ZMAP/SPEX Tall Oaks -Lot 1" from the right hand corner of the plat. "Potomac Elect ion District, Loudoun County, Virginia Date: July 2007" is already on the plat and can be deleted.
6. Sheet 1, under General Notes, state the purpose of the application is to remap the property from the 1972 Loudoun County Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance with a Special Exception for Office use.
7. Sheet 1, General Note #6, change "an" to "a" and the word "none" should be "non". Remove the "E".
8. Sheet 1, General Note #14, remove the second "are".
9. Sheet 1, General Note #15, correct the spelling of "parcel."
10. Sheet 3, remove the existing fence from the CDP, since it is proposed to go through the building and tree line and onto neighboring properties.
11. Sheet 3, Include the adjacent parcel information. It is cut off. Note: the property to the north, Cascade Business, the PIN # is 031-49-8458
12. Sheet 3, label the 75' building and 35' parking yards along Cascades Parkway.
13. Sheet 3, show the 35' building setback and the 25' parking setback along Woodland Road. Remove the building and parking from the setbacks.
14. Sheet 3, correct the labeling of building 1 (1 level). Remove the "s".
15. Sheet 3, correct the labeling of building 2 "Existing house to be remodeled."

16. Sheet 4, the size of building #2 is difficult to read.
17. Sheet 4, correct the labeling of the property to the north, Cascade Business, the PIN # is 031-49-8458.
18. Sheet 5 (A1), provide a note on this sheet that states: "Separate sign permit required per Section 5-1200."
19. Sheet 5 (A1) remove "for illustrations only" since this is a proffered sheet and is in substantial conformance.

#### **PROFFER STATEMENT**

20. The 6<sup>th</sup> line down after PD-IP, staff suggests inserting a "(PD-IP)" after "Planned Development-Industrial Park, since the rest of the document only references PD-IP,
21. The seventh line down, after Concept Development Plan, staff suggests inserting "prepared by Professional Design Group, Inc." before "dated June..."
22. On all sheets, the revision dates, drawing dates and the proffer statement dates need to be consistent throughout the application. The CDP is dated January 22, 2007 with revisions through January 6, 2010. Correct the seventh line.
23. The ninth line, in the first paragraph, staff suggests changing the number of sheets to 1 through 5.
24. Under Concept Development Plan, staff suggest that the substantial conformance be with "Sheet 3 of 5" since there are four sheet in the set.
25. The fifth sentence under Concept Development Plan, staff suggests removing "and incorporated herein by reference as Exhibit A", since nothing is labeled "Exhibit A."
26. Under Use Limitations, first line, staff suggests stating that "building #2 will be developed for office per section 4-504(A) and the property will be developed for all uses under PD-IP zoning District of the Revised 1993 Zoning Ordinance except for the following uses: park; water pumping station; utility subdivision, dedicated; sewer pumping station. The following Special Exception Uses are not permitted: Golf driving range; Fire and/or rescue station; Firearm Range, archery range, indoor; police station; Telecommunication antenna; Hotel/Motel; water treatment plant. Other Special Exception uses may be permitted upon Special Exception approval."
27. Under Use Limitations, staff suggests removing "The retail use will be limited to maximum of 5% of total gross floor area of buildings" since this is not a permitted use in the district.
28. Under Sidewalks and trails, this proffer should be expanded to include discussion about the easement and the trigger point on when this will be developed.
29. Under Building, staff suggests inserting "January 20, 2009 through October 30, 2009 as prepared by Arencibia Architects, Inc. shown on Sheet 5" after "Schematic plans dated."
30. Under Water and Sewer, staff suggests changing LCSA to "Loudoun Water".
31. Under Water and Sewer, staff suggests including "at no cost to the County" to the end of this proffer.

#### **STATEMENT OF JUSTIFICATION**

32. Update the revision date of the Statement of Justification.
33. First page under #2, the new building is shown on the plat as having 12,182 square feet. Change the second sentence to say, "The building will contain by-right uses under the Revised 1993 Zoning Ordinance."
34. Page 4 of 5, in the paragraph above "Modifications", change all "will" to 'shall'.
35. As mentioned in comment #1, include the justification for each modification.





## ZONING ADMINISTRATION REFERRAL

**DATE:** August 18, 2009  
**TO:** Sophia Fisher, Project Manager  
**THROUGH:** Marilee Seigfried, Deputy Zoning Administrator  
**FROM:** Cindy Lintz, Zoning Administration  
**SUBJECT:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1  
**LCTM:** /81/B/3/////1/ **MCPI:**031-49-7342-000

The Zoning Administration has reviewed the second submission of the above referenced application and has the following comments:

### ISSUES

1. Per Section 1-403(B) "*A nonconforming structure shall not be enlarged, increased, nor extended to occupy a greater area of land than was occupied at the effective date of this Ordinance unless such improvements do not increase the degree of nonconformity.*" The footprint of the existing nonconforming structure may not be increased unless the expansion meets the setback requirements of the current ordinance. It appears that the patio will become enclosed stairs, therefore increasing the structure. A modification needs to be requested for this structure.
2. A second modification should be requested for the existing building located in the proposed buffer yard.
3. On all sheets, the revision dates, drawing dates and the proffer statement dates need to be consistent throughout the application.
4. Sheet 3, show the SPEX area and indicate what SPEX is being asked for on the plat.
5. This application will not resolve the violation on the pending appeal.

### PLAT

6. Sheet 1, County records show the owner's address is: 811 Gouldman Ln, Greatfalls, VA 22066.
7. Sheet 1, General Note #1, the instrument number is 200706270048343.
8. Sheet 3, the F.A.R. for building 2 should include the basement and the enclosed stairway.
9. Sheet 3, under Lot Requirements, remove "except as provided in Section 4-505(C)" from the yards adjacent to roads description and "Adjacent to Other Nonresidential Districts".
10. Sheet 3, under Building Requirements, the lot coverage under the R1993 is 0.45 and the building height is 45'.
11. Sheet 3, the property to the north, Cascade Business, the PIN # is 031-49-8458.
12. Sheet 3, per Section 5-1403(E) a type 3 buffer is required adjacent to Cascades Parkway. This front buffer is 20' – 30' wide not 15'.
13. Sheet 3, show the 35' building setback and the 25' parking setback along Woodland Road. Remove the building and parking from the setbacks.
14. Sheet 3, show the 75' building and 35' parking setback.
15. Sheet A1, signs shown require a separate sign permit. Provide a note to that extent.

## **PROFFER STATEMENT**

1. The title of the Proffer Statement should reflect the name of the property "Woodland Plaza" not Industrial Park "A."
2. First paragraph second line, staff suggests changing the word Applicant to owners and also change the word applicant on the last line of the first paragraph.
3. First paragraph sixth line, staff suggests inserting "administered under the Revised 1993 Zoning Ordinance" after zoning district.
4. First paragraph seventh line, the revision date is through June 29, 2009.
5. First paragraph eighth line, staff suggests naming the application "ZMAP 2007-2006 Woodland Plaza" sheets 1 through 3 and 3A
6. First paragraph, 10<sup>th</sup> line, the Code of Virginia is Section 15.2-2303.
7. First paragraph 14<sup>th</sup> line (last line), staff suggests inserting after ZMAP 2007-0006 "to change the zoning of the property from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Zoning Ordinance.
8. Under Concept Development Plan, staff suggests revising the first sentence to "substantial conformance with Sheet 3 of 3, and any matters shown on any other sheets that are referenced on Sheet 3, of the plan set entitled "Special Exception Plat/Concept Development Plan" dated January 22, 2007, with revisions through June 29, 2009, prepared by Professional Design Group, Inc."
9. Third sentence under Concept Development Plan, the plan is dated June 18, 2007 (see comment 6).
10. The fifth sentence under Concept Development Plan, staff suggests removing "and incorporated herein by reference as Exhibit A" (see comment 6).
11. The seventh sentence under Concept Development Plan, Sheet 3 the title should read Concept Development Plan not Plat as shown on the title bar on Sheet 3.
12. Staff suggests adding a trigger and commitment regarding the sidewalk and trail.





## ZONING ADMINISTRATION REFERRAL

**DATE:** January 3, 2007

**TO:** Sophia Fisher, Project Manager

**THROUGH:** Marilee Seigfried, Deputy Zoning Administrator

**FROM:** Cindy Lintz, Zoning Administrator

**SUBJECT:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1

**LCTM:** /81/B/3/////1/      **MCPI:**031-49-7342-000

The Zoning Administration has reviewed the first submission of the above referenced application and has the following comments:

1. If a request for a setback modification is being made, then a justification needs to be provided in the narrative per Section 6-1504.
2. Include in the Zoning Tabulation on Sheet 3 with calculations for PD-IP under both the 1972 Zoning Ordinance and the Revised 1993 Zoning Ordinance (with the December 3, 2007 updated Zoning Ordinance amendments).
3. Please include SPEX # 2007-0054 and ZCPA 2007-0006 on the plat.
4. Please note that no floodplains and no steep slopes are present on the site.
5. Please label structures to be removed (trailers, shed, old entrance, etc.).
6. Please remove specific buffer yard and parking requirements until specific uses are known.
7. Sheet 1 under General Notes, include that the parcel is 1.41 acres.
8. Sheet 1 under General Notes, please list that the parcel is in the Route 28 tax district.
9. Sheet 1, update the applicant/owner name to include both owners (Susan and Moe Gharai) and provide the address according to the County Records.
10. Sheet 3, the proposed use "Industrial" is not a listed use. The proposed uses are "office and other uses permitted in PD-IP under the Revised 1993 Zoning Ordinance."
11. Sheet 3, the required landscape open space is 0.20 not 0.10. Also, if the square footage of the entire lot is 61,475 s.f. How can the landscape open space calculation show 113,358 s.f.?
12. Sheet 3, please label the neighboring parcel to the east.
13. Sheet 3, the parcel to the south pin #031-49-4107 use is warehouse not commercial. Please correct.

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**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: July 13, 2010

TO: Sophia Fisher, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner

SUBJECT: **ZMAP-2007-0006 & SPEX-2007-0054**  
**Tall Oaks Subdivision Lot 1**  
**(3<sup>rd</sup> Submission)**

The Environmental Review Team (ERT) reviewed the revised application, including plan set dated July 2007, revised through January 6, 2010, and offers the following comments:

1. Note 13 on Sheet 1 states that low impact facilities shall be utilized during final engineering and designed to achieve 65 percent phosphorus removal efficiency. Since Sheet 1 is not a proffered plan sheet, staff recommends that a commitment be provided specifying that the water quality approach shall achieve a 65 percent phosphorous removal efficiency, as per Table 2-3 of the Virginia Stormwater Management Handbook. [Revised 1993 Loudoun County Zoning Ordinance (RZO) Sections 6-1211(E)(9) and 6-1310(H)]

Please contact me if you have any questions or need additional information.

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**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: August 18, 2009

TO: Sophia Fisher, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: Gary Clare, Chief Engineer  
William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner  
Terri Smithson, Office of Transportation Services

SUBJECT: **ZMAP-2007-0006 & SPEX-2007-0054**  
**Tall Oaks Subdivision Lot 1**  
**(2<sup>nd</sup> Submission)**

The Environmental Review Team (ERT) reviewed the revised application and offers the following comments:

1. Note 11 on Sheet 1 states that wetlands shown on the plans were delineated by Wetland Studies and Solutions, Inc. Note 12 on Sheet 1 states that regulated waters and wetlands shown are based on a wetland delineation conducted by Jeffery A. Wolinsky and confirmed by Corps Jurisdictional Determination #2008-1722, dated September 24, 2008. Please correct this discrepancy. Staff also recommends adding a note stating the following: "Impacts to the intermittent stream channel were approved as part Virginia Department of Environmental Quality (DEQ) Virginia Water Protection (VWP) General Permit No. WP4-08-1359, authorized on October 8, 2008".
2. The applicant's responses state that they are considering use of a combination of different BMP facilities for the project, and during final site plan preparation and engineering the project will use Filterra structures, porous pavement within a portion of the proposed parking, and small bioretention basins within parking lot islands. To demonstrate that the project minimizes impacts to water quality, which is an issue for consideration in Sections 6-1211(E)(9) and 6-1310(H) of the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO), ERT recommends a commitment to a water quality approach that achieves a 65 percent phosphorous removal efficiency for the project site.

3. To encourage pedestrian and bicycle activities, staff supports the 10-foot trail along Cascades Parkway. Staff defers to the Office of Transportation Services regarding the trail location.

Please contact me if you have any questions or need additional information.



**DEPARTMENT OF BUILDING AND DEVELOPMENT**

**COUNTY OF LOUDOUN**

**MEMORANDUM**

DATE: January 14, 2008

TO: Sophia Fisher, Project Manager, Department of Planning

FROM: Todd Taylor, Environmental Engineer

THROUGH: William Marsh, Environmental Review Team Leader

CC: Kelly Williams, Community Planner

**SUBJECT: ZMAP-2007-0006 & SPEX-2007-0054**  
**Tall Oaks Subdivision Lot 1**

The Environmental Review Team (ERT) reviewed the subject application during the January 8, 2008, ERT Meeting. Our comments pertaining to the current application are as follows:

*Regarding wetlands*

1. A wetland delineation prepared by Wetland Studies and Solutions, Inc., dated May 16, 2006, was provided with the application materials. Please clarify whether a jurisdictional determination has been issued. If a jurisdictional determination has been issued, please update Note 12 on Sheet 1 as follows: "Regulated waters and wetlands shown are based on a wetland delineation conducted by Wetland Studies and Solutions, Inc. and confirmed by Corps Jurisdictional Determination # insert Corps project number, dated insert date".
2. Staff encourages preservation of jurisdictional waters and wetlands on site due to the water quality and ecological benefits they provide. The proposed layout will result in impacts to jurisdictional waters and wetlands associated with the proposed building and parking. Staff recommends that the layout be revised to avoid and minimize impacts, consistent with River and Stream Corridor Resource Policies 1 and 11 in Chapter 5 of the Revised General Plan (RGP) (Pages 5-6 and 5-9).
3. Staff requests additional information on the status of the applicant's state and federal wetland permits and the extent of the required mitigation. Staff emphasizes the importance of mitigating wetland and stream impacts close to the impact area to help maintain water quality and flood protection functions, as well as habitat. As such, for any necessary mitigation, staff recommends that the applicant commit to prioritizing

mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ). This approach is consistent with Policy 23 on Page 5-11 of the RGP which states that "the County will support the federal goal of no net loss to wetlands in the County." Furthermore, the County's strategy is to protect its existing green infrastructure elements and to recapture elements where possible [RGP, Page 6-8, Green Infrastructure Text].

*Regarding water quality*

4. The February 1, 2007 letter associated with the pre-application submittal materials states that stormwater management (SWM)/best management practices (BMP) will be provided onsite using underground detention and low impact development (LID) practices. An underground SWM facility is depicted on Sheet 3. The Surface Water Policies within the RGP support the implementation of LID techniques (Page 5-17). Please provide additional information regarding the locations and type(s) of the LID measures that will be incorporated into the project, consistent with Item K4 of the rezoning checklist. This information is also needed to demonstrate that the project achieves SWM/BMP objectives and to evaluate the effect of the proposed project on water quality, as required by Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) Section 6-1211(E)(9). Given the high impervious ratio for this use, a BMP with 65-percent phosphorous removal should be chosen. Staff recommends that the applicant consider bioretention that is connected to an underground vault to store stormwater quantity. Staff further recommends that the applicant consider cistern storage of rooftop runoff that can be harvested for buffer irrigation.

*Other*

5. Staff encourages application of green building standards with this application. This commitment is consistent with the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20), the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23), and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2). Note that the "One Steeplechase" commercial office development, which is located in the general area of this project, is currently going through the Leadership in Energy and Environmental Design (LEED) certification process (<http://www.usgbc.org/LEED/Project/RegisteredProjectList.aspx>).

Accordingly, staff recommends that the design and construction of this application incorporate LEED traits into some or all of the proposed uses.



6. To reduce vehicular traffic/demand on roadways and to encourage pedestrian and bicycle activities as commuting alternatives, staff recommends providing a 10-foot multi-use trail along Cascades Parkway. Likewise and as stated above, staff supports including bicycle parking and shower facilities as part of this project.
7. Consistent with the Forest, Trees, and Vegetation Policies on Page 5-32 of the RGP and Section 5-1403(B) of the Revised 1993 LCZO, staff recommends that the applicant consider utilizing the existing tree cover along the western property line to fulfill or partially fulfill the buffer yard requirement.

Due to the scope of the comments provided, staff requests an opportunity to review the subsequent submission of this application. Please contact me if you need any additional information.

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**County of Loudoun**  
**Office of Transportation Services**  
**MEMORANDUM**

**DATE:** July 22, 2010

**TO:** Sophia Fisher, Project Manager  
Department of Planning

**FROM:** Marc Lewis-DeGrace, Transportation Planner *MLDG*

**SUBJECT:** ZMAP 2007-0006 & SPEX 2007-0054 Tall Oaks Subdivision Lot 1  
Third Referral

---

**Background**

This referral updates the status of issues identified in the first and second Office of Transportation Services (OTS) referrals on this application (dated January 25, 2008 and August 26, 2009). These applications propose to establish an Office/Flex development on 1.42 acres of PD-IP zoned property located at the northwest quadrant of the intersection of Woodland Road (Route 679) and Cascades Parkway (Route 637). The property is currently governed under the 1972 Zoning Ordinance and if these applications are approved would be governed under the Revised 1993 Zoning Ordinance.

This update is based on a review of materials received from the Department of Planning on June 17, 2010, namely (1) a revised traffic study dated May 15, 2010 prepared by MCV Associates, Inc., (2) a letter responding to second referral comments, dated February 9, 2010 prepared by Professional Design Group, (3) a revised proffer statement dated February 2, 2010 prepared by the applicant and (4) a special exception plat (plan set) dated January 6, 2010 and revised through February 15, 2010 also prepared by Professional Design Group.

**Review of Applicant's Revised Traffic Study**

The Applicant's most recent traffic study (dated May 15, 2010) replaces the previous (August 30, 2007) traffic study and reflects the changes in proposed use from an office building with 18,000 square feet to an office building with 2,186 square feet and an industrial park with 12,182 square feet. This revised traffic study maintains two entrances onto Woodland Road (Route 679). The revised traffic study establishes existing conditions and levels of service (LOS) at the intersection of Cascades Parkway and Woodland Road and the existing site entrance on Woodland Road. The study also forecasts the LOS at the Cascades Parkway/Woodland Road intersection, the existing site entrance, and a proposed second site entrance

on Woodland Road at the build out year (2013) both with and without the proposed development.

### **Existing Traffic Volumes and Levels of Service (LOS)**

Existing peak hour LOS were estimated at two (2) intersections: the Cascades Parkway/Woodland Road intersection, and the existing site entrance based on turning movement counts taken in April 2010 (*Attachment 1*). Under existing conditions both intersections operate at acceptable LOS (*Attachment 2*).

### **Background Traffic Growth**

As suggested by OTS staff, the revised traffic study assumed a 2% annual growth rate (compounded), which was applied to Cascades Parkway and Woodland Road from 2010 to 2013 (build out year). There were no other approved developments in the vicinity of this site that would necessitate a higher annual growth rate.

### **Trip Generation, Distribution & Assignment**

The number of trips generated by the proposed use was calculated using the Institute of Transportation Engineers (ITE) Trip Generation (8<sup>th</sup> Edition) for land use codes 710 (Office) and 110 (Light Industrial). The revised traffic study and development plan propose a 2,186 square-foot office building and an industrial park that is 12,182 square feet in size. The traffic study indicates that the proposed use will generate approximately 14 AM peak hour trips and 15 PM peak hour trips and 108 daily trips. Detailed trip generation information is illustrated in *Attachment 3*. The revised traffic study assumed that peak hour trip distribution would match existing travel patterns (*Attachment 4 and 5*).

### **Future (2015) Traffic Volumes and Levels of Service (LOS)**

The traffic study indicates that the three (3) subject intersections (two existing and one future) will all operate at acceptable LOS at the build out of the proposed use in 2013. Future LOS values are illustrated in *Attachment 2*.

### **Status of Transportation Issues**

1. Initial Staff Comment (1<sup>st</sup> Referral): The applicant is proposing to remove existing entrances to the site. There will be no entrance on Cascades Parkway. This is appreciated by OTS. Two new entrances have been proposed on Woodland Road as shown on the Site Development Plan. These entrances are acceptable to OTS. This issue is viewed as resolved.

#### **Current Issue Status: Issue Resolved.**

2. Initial Staff Comment (1<sup>st</sup> Referral): The applicant should provide a 14-foot easement along its property line on Cascades Parkway and construct a 10-foot multi-purpose trail consistent with AASHTO standards. This multi-modal



improvement was provided by Cascades Center a short distance to the north on Cascades Parkway.

*Applicant's Response (June 29, 2009): Plan is revised per comment.*

*Issue Status (2<sup>nd</sup> Referral): Comment # 2 is not resolved.* Although the applicant is showing a 10-foot trail, it is not clear if the trail will be constructed within an easement or within the needed right-of-way, see new comment # 4 for more details. Please clarify the trail's location after addressing comment #4.

*Applicant's Response (February 9, 2010): The 10 feet trail is provided within the right of way. However a portion of it falls within the property line therefore the 14 feet easement is provided.*

**Current Issue Status: Issue resolved.**

3. *Initial Staff Comment (1<sup>st</sup> Referral):* The applicant should provide a 5-foot sidewalk along its Woodland Road frontage. This improvement could be provided in the VDOT right-of-way or in an on-site easement (final decision at site plan).

*Applicant's Response (June 29, 2009): Plan is revised per comment.*

*Issue Status (2<sup>nd</sup> Referral): Comment # 3 is not resolved.* Due to the proximity of this sidewalk to the Claude Moore Park and based on County's recent efforts to provide better accessibility around the park, OTS would like to revise the comment previously provided and require a 6-foot sidewalk along Woodland Road instead of 5-foot sidewalk.

*Applicant's Response (February 9, 2010): The sidewalk along Woodland Road is revised to 6 feet.*

**Current Issue Status: Issue resolved.**

4. *Initial Staff Comment (2<sup>nd</sup> Referral):* According to the Loudoun County Land Management Information System (LMIS), this site has not dedicated the appropriate right-of-way for Cascades Parkway as depicted on the plat (See Attachment 1). The Countywide Transportation Plan (CTP) calls for a 120-foot right-of-way for Cascades Parkway. The applicant needs to dedicate the right-of-way from the centerline to the property line (approximately 63 feet) to be consistent with the plat.

*Applicant's Response (February 9, 2010): The right of way has been dedicated during the expansion of Cascades Blvd. Please see attached plat.*

**Current Issue Status: Issue resolved.**

5. Initial Staff Comment (2<sup>nd</sup> Referral): OTS recommends the applicant to provide a crosswalk across Cascades Parkway on their corner. OTS is aware there is not an existing sidewalk/trail on the eastern side of Cascades Parkway, but a pedestrian facility is being considered through the Claude Moore Park Access efforts and the crosswalk will be very useful.

Applicant's Response (February 9, 2010): Currently there is no sidewalk on opposite side Cascades Blvd. Therefore the employees of this development will not be crossing the parkway at this location.

Current Issue Status: Issue resolved. OTS has subsequently confirmed that VDOT will not permit a crosswalk at this location given that there are currently no bicycle/pedestrian facilities on the east side of Cascades Parkway.

### Conclusion

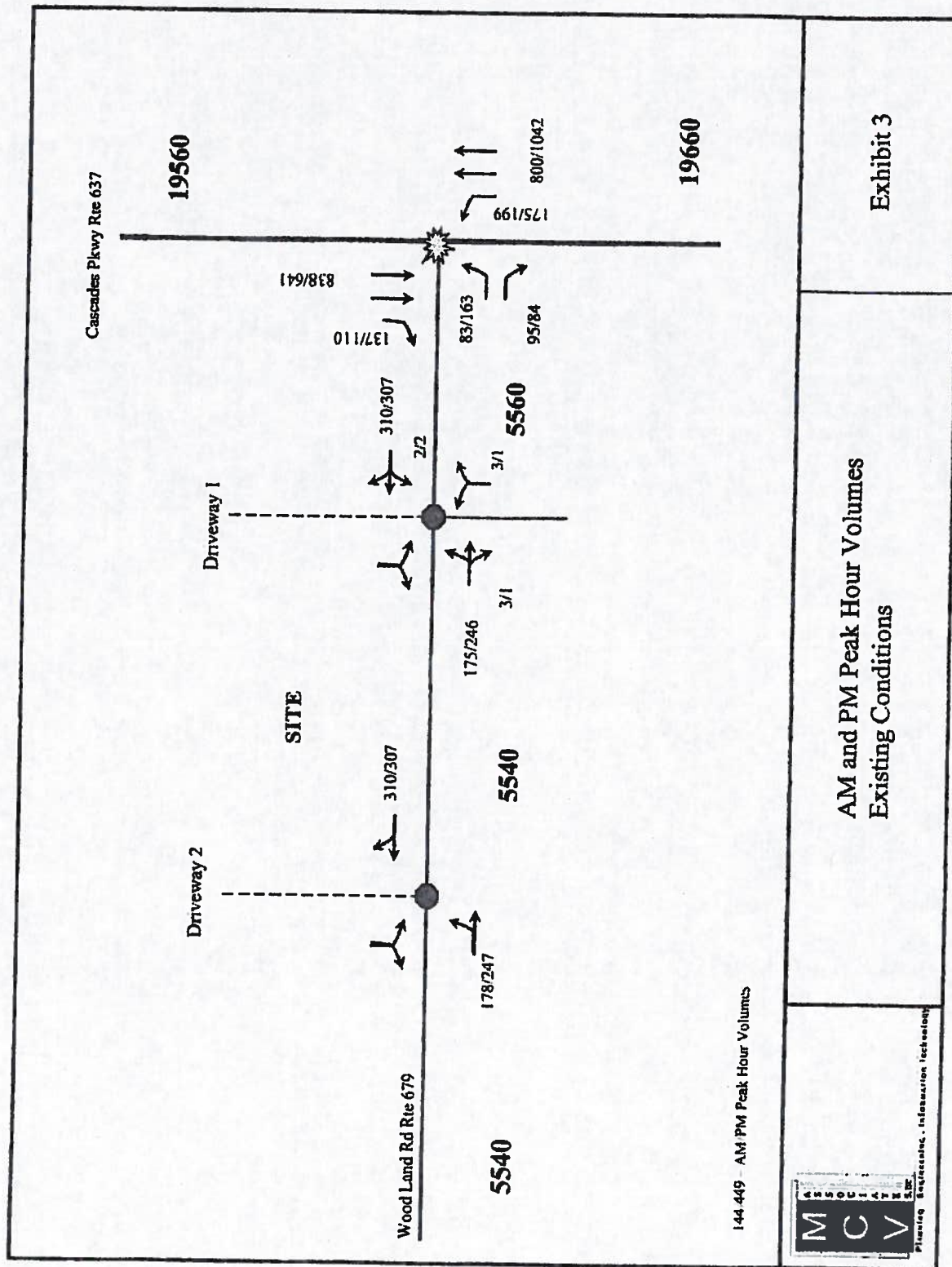
OTS has no objection to the approval of these applications.

### ATTACHMENTS

1. Existing Conditions – AM and PM Peak Hour Volumes
2. Comparison of Levels of Service
3. Trip Generation Rates and Trips
4. AM and PM Peak Hour Site Trips
5. Total Conditions – AM and PM Peak Hour Volumes

cc: Andrew Beacher, Acting Director, OTS  
Lou Mosurak, Senior Coordinator, OTS





# ATTACHMENT 1

INTERSECTION/CONDITION	Existing		Background 2013		Total 2013	
	AM	PM	AM	PM	AM	PM
Cascades Pkwy/Woodland Road (Signalized)	LOS B 10.0 Sec	LOS B 13.1 Sec	LOS B 10.4 Sec	LOS B 13.8 Sec	LOS B 10.5 Sec	LOS B 14.1 Sec
EB L	LOS C 21.8 Sec	LOS C 26.2 Sec	LOS C 22.5 Sec	LOS C 27.9 Sec	LOS C 22.7 Sec	LOS C 27.8 Sec
EB R	LOS C 20.7 Sec	LOS C 23.2 Sec	LOS C 21.2 Sec	LOS C 24.2 Sec	LOS C 21.4 Sec	LOS C 24.3 Sec
EB Approach	LOS C 21.2 Sec	LOS C 25.2 Sec	LOS C 21.8 Sec	LOS C 26.4 Sec	LOS C 22.0 Sec	LOS C 26.6 Sec
NB L	LOS A 4.7 Sec	LOS A 7.7 Sec	LOS A 5.0 Sec	LOS A 8.8 Sec	LOS A 5.1 Sec	LOS A 9.0 Sec
NB T	LOS A 4.3 Sec	LOS A 6.0 Sec	LOS A 4.4 Sec	LOS A 6.3 Sec	LOS A 4.4 Sec	LOS A 6.5 Sec
NB Approach	LOS A 4.4 Sec	LOS A 6.3 Sec	LOS A 4.5 Sec	LOS A 6.7 Sec	LOS A 4.8 Sec	LOS A 6.9 Sec
SB T	LOS B 15.1 Sec	LOS B 19.4 Sec	LOS B 15.7 Sec	LOS C 20.5 Sec	LOS B 15.9 Sec	LOS C 20.8 Sec
SB R	LOS B 12.3 Sec	LOS B 14.1 Sec	LOS B 12.7 Sec	LOS B 14.5 Sec	LOS B 12.8 Sec	LOS B 14.8 Sec
SB Approach	LOS B 14.6 Sec	LOS B 18.8 Sec	LOS B 15.2 Sec	LOS B 19.8 Sec	LOS B 15.3 Sec	LOS C 20.1 Sec
Woodland Road/Site Driveway 1 (Unsignalized)						
EB LTR	LOS A 0.0 Sec	LOS A 0.0 Sec	LOS A 0.0 Sec	LOS A 0.0 Sec	LOS A 0.0 Sec	LOS A 0.0 Sec
WB LTR	LOS A 0.1 Sec	LOS A 0.1 Sec	LOS A 0.1 Sec	LOS A 0.1 Sec	LOS A 0.1 Sec	LOS A 0.1 Sec
NB LTR	LOS A 8.8 Sec	LOS A 9.0 Sec	LOS A 8.9 Sec	LOS A 9.1 Sec	LOS A 8.9 Sec	LOS A 9.1 Sec
SB LTR	N/A	N/A	N/A	N/A	LOS B 12.7 Sec	LOS B 13.2 Sec
Woodland Road/Site Driveway 2 (Unsignalized)	N/A	N/A	N/A	N/A		
EB LT					LOS A 0.1 Sec	LOS A 0.0 Sec
WB TR					LOS A 0.0 Sec	LOS A 0.0 Sec
SB LR					LOS B 12.5 Sec	LOS B 12.8 Sec



Comparison of Levels of Service

Exhibit - 8

## ATTACHMENT 2



## Trip Generation

### Site As-Proposed

ITE CODE	Land Use	AM		PM		Daily	
		In	Out	In	Out	In	Out
710	Office 2,186 SFT	2	1	1	2	12	12
110	Light Industrial 12,182 SFT	9	2	2	10	42	42
	<b>TOTAL</b>					<b>84</b>	<b>84</b>

### Site As-Zoned

ITE CODE	Land Use	AM		PM		Daily	
		In	Out	In	Out	In	Out
710	Office 8,820 SFT	24	3	15	74	103	103
110	Light Industrial 9,180 SFT	7	1	1	8	32	32
	<b>TOTAL</b>	<b>31</b>	<b>4</b>	<b>16</b>	<b>82</b>	<b>135</b>	<b>135</b>

### Vehicle Trip Generation Rates (Based on ITE 8th Edition)

ITE CODE	Land Use	Size	AM Peak Hour		PM Peak Hour	
			Trip Rate	Rate	Trip Rate	Rate
110	Light Industrial	12,182 SFT	0.92	88%	0.97	12% 88%
710	Office	2,186 SFT	1.55	88%	1.49	17% 83%



## Trip Generation Rates and Trips

Exhibit - 5

## ATTACHMENT 3

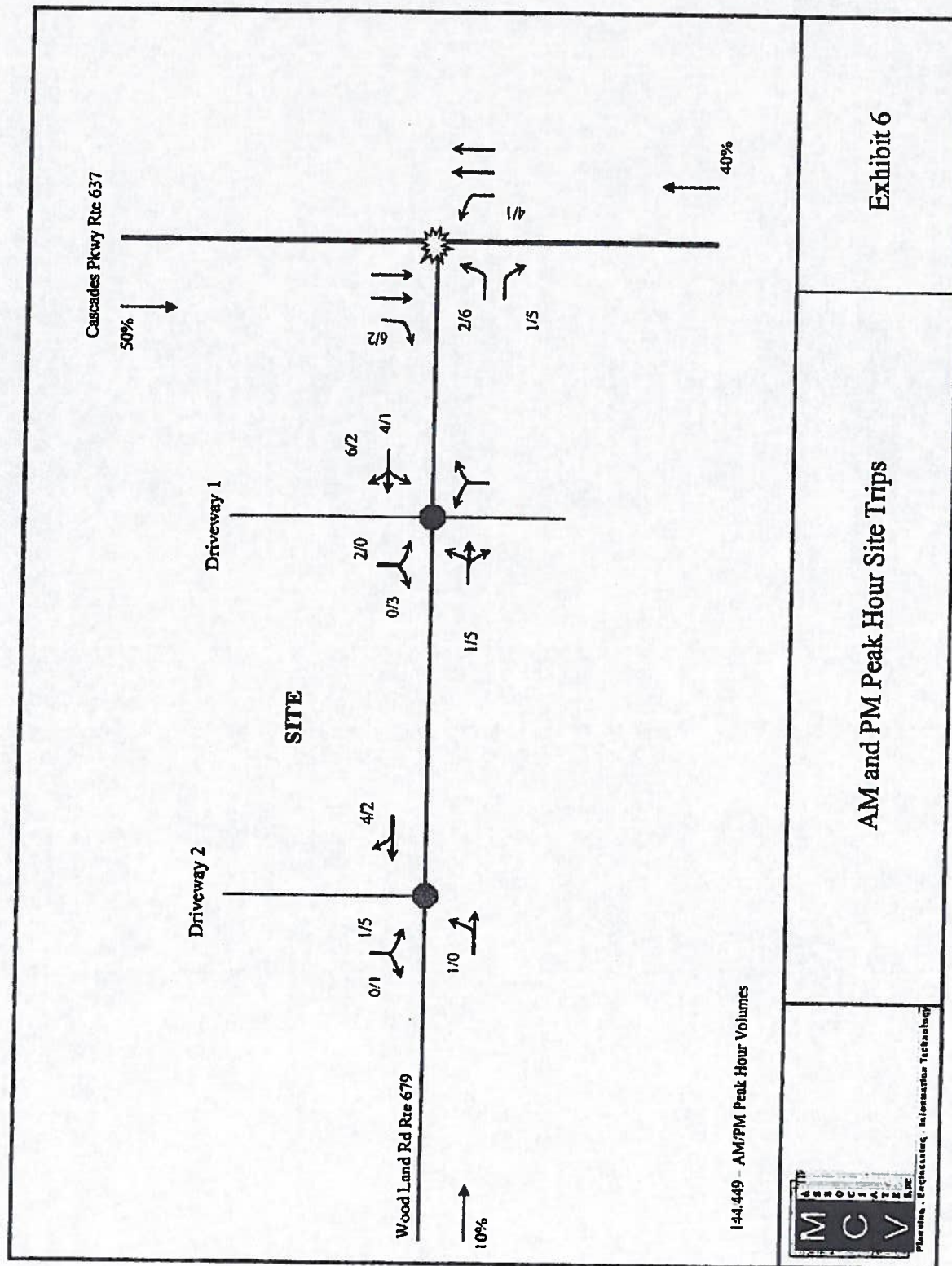
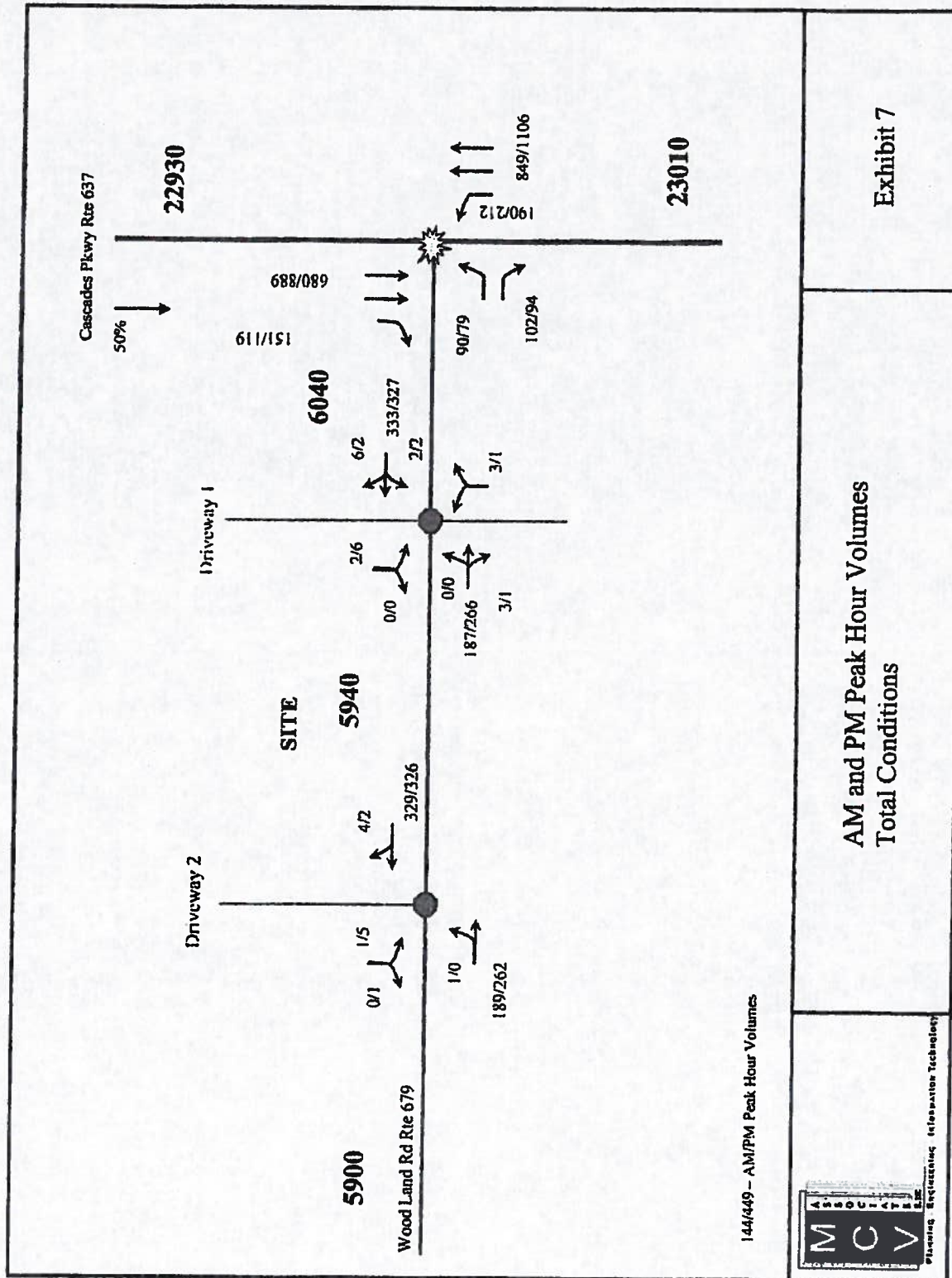


Exhibit 6

AM and PM Peak Hour Site Trips

ATTACHMENT 4





# ATTACHMENT 5

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July 20, 2010

Ms. Sophia Fisher  
Department of Planning  
1 Harrison Street, S.E.  
P. O. Box 7000  
Leesburg, Virginia 20177-7000

**Re: ZMAP-2007-0006 & SPEX-2007-0054, Tall Oaks Subdivision Lot 1**

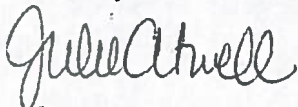
Dear Ms. Fisher:

Loudoun Water has reviewed the referenced Zoning Map Amendment Petition and Special Exception applications. Our previous comments, dated January 10, 2008, and August 24, 2009 were not addressed and have been restated below:

1. Show construction of public water and sewer along Cascades Parkway (including providing easements). Sewer access is available at an existing manhole on the south side of Woodland Road.
2. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.
3. Public water and sanitary sewer service would be contingent upon the developer's compliance with Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Julie Atwell  
Engineering Administrative Specialist

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Loudoun County, Virginia  
**Department of Fire, Rescue and Emergency Management**

803 Sycolin Road, Suite 104 Leesburg, VA 20175  
Phone 703-777-0333 Fax 703-771-5359



## Memorandum

**To:** Sophia Fisher, Project Manager  
**From:** Maria Figueroa Taylor, Fire-Rescue Planner  
**Date:** January 31, 2008  
**Subject:** Tall Oaks Subdivision  
ZMAP 2007-0006 & SPEX 2007-0054

Thank you for the opportunity to review the above-captioned application. The Fire and Rescue Planning Staff is not opposed to the application as proposed. If you have any questions or need additional information, please contact me at 703-777-0333.

C: Project file

Tear

ATTACHMENT 1f

Service

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APPLICATION NUMBER: ZMAP 2007-0006

I, Hamid Matin, do hereby state that I am an     applicant  X   applicant's authorized agent listed in Section B.1. belowin application Number(s): ZMAP 2007-0006

and that to the best of my knowledge and belief, the following information is true:

**B. MANDATORY DISCLOSURES****1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST**

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application\* and if any of the forgoing is a **TRUSTEE\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (listed in <b>bold</b> , above)
031-49-7342	Moe Gharia	1037 Sterling Road, Herndon, VA 20170	Owner/ Applicant
031-49-7342	Susan Gharia	1037 Sterling Road, Herndon, VA 20170	Owner
031-49-7342	Morteza Khaleghi	1343 Amalfi Dr., Pacifi-Palisades, Ca. 90272	Owner
031-49-7342	Karen Khaleghi	1343 Amalfi Dr., Pacifi-Palisades, Ca. 90272	Owner
031-49-7342	Hamid Matin/Professional Design Group, Inc.	14301-B Sullyfield Circle #203, Chantilly, Virginia 20151	Consultant/ Agent
031-49-7342	Joe Mehra/MCV Associates, Inc.	4605 Pinecrest Office Park Drive, Suite C, Alexandria, Va. 22312	Consultant
031-49-7342	Benjamin P. Ford, Rivanna Archaeological Services, LLC	410 E. Water Street, Suite 1100 Charlottesville, Virginia	Consultant

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

If multiple copies of this page are provided please indicate Page      of      pages.

APPLICATION NUMBER: ZMAP 2007-0006

\_\_\_\_ Real Parties of Interest information is continued on an additional copy of *page* B-1



APPLICATION NUMBER: ZMAP 2007-0006

**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)  
Professional Design Group, Inc., 14301-B Sullyfield Circle Suite 203, Chantilly, Va. 20151

Description of Corporation:

  X   *There are 100 or fewer shareholders and all shareholders are listed below.*

       *There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.*

       *There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

       *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Fariba Sadeghpour	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Fariba Sadeghpour	President
Hamid Matin	Vice President

Check if applicable:

       Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page        of        pages.

APPLICATION NUMBER: ZMAP 2007-0006

**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)  
 MCV Associates, Inc., 4605 Pinecrest Office Park Drive, Suite C, Alexandria, Va. 22312

Description of Corporation:

X There are 100 or fewer shareholders and all shareholders are listed below.

\_\_\_ There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

\_\_\_ There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

\_\_\_ There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Joe Mehra	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Joe Mehra	President

Check if applicable:

\_\_\_ Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page \_\_\_ of \_\_\_ pages.



APPLICATION NUMBER: ZMAP 2007-0006

**3. PARTNERSHIP INFORMATION**

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address (complete name, street address, city, state, zip)

Rivanna Archaeological Services, LLC, 410 E. Water Street, Suite 1100 Charlottesville, Virginia

\_\_\_ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Benjamin P. Ford, Rivanna	Manager

Check if applicable:

\_\_\_ Additional Partnership information is included on an additional copy of page B-3.

**4. One of the following options **must** be checked**

\_\_\_ In addition to the names listed in paragraphs B. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

\_\_\_ Other than the names listed in B. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, and beneficiary of a trust) 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

\_\_\_ Additional information for Item B. 3. is included on an additional copy of page B-3.

If multiple copies of this page are provided please indicate Page \_\_\_ of \_\_\_ pages.



APPLICATION NUMBER: ZMAP 2007-0006

**C. VOLUNTARY DISCLOSURE**

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

None

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

None

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)

\_\_\_ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page \_\_\_\_ of \_\_\_\_ pages.

Revised May 10, 2007

APPLICATION NUMBER:   ZMAP 2007-0006  

**D.**

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.

WITNESS the following signature:

Moe Gharai  
check one: ☐ Applicant or ☒ Applicant's Authorized Agent

Moe Gharai  
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 5<sup>th</sup> day of November 2010, in  
the State/Commonwealth of Virginia, in the County/City of Fairfax.

B  
Notary Public

My Commission Expires: 6/30/2011



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Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated NOV-5-2010 for the application of  
(enter date of affidavit)

(enter name(s) of applicant(s))

in Application Number(s): 2 MAP 2007-0006 & SPEX 2007-0054  
(enter application number(s))

I, Moe Gharai, do hereby state that I am an

(check one) ☒ applicant (must be listed in Paragraph B of the above-described affidavit)  
☐ applicant's authorized agent (must be listed in Paragraph B of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) ☒ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of NOV-5-2010  
(enter today's date)

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

☐ Paragraph B-1

☐ Paragraph C-1

☐ Paragraph B-2

☐ Paragraph C-2

☐ Paragraph B-3

☐ Paragraph C-3

WITNESS the following signature: Moe Gharai

(check one) ☐ applicant ☒ applicant's authorized agent

Moe Gharai

(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this 5<sup>th</sup> day of November, 2010  
in the State/Commonwealth of Virginia, County/City of Fairfax.

My Commission expires: 6/30/2011

Brenda Walters  
Notary Public



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Woodland Plaza  
Special Exception/ Rezoning Request  
Loudoun County  
Statement of Justification

August 2007  
Revised 11/30/2007  
Revised 03/02/2010  
Revised 9/20/2010



The Woodland Plaza proposes to establish an Office/Flex center on 1.42 acres of PD-IP (Planned Development - Industrial Park) Zoned Property, located on the corner of Woodland Road and Cascade Parkway. The property is more particularly described as Lot one, Tall Oaks Subdivision, and in Loudoun County and Tax Map 81 B3-1. The property is currently under 1972 Loudoun County PD-IP Zoning District regulations that allow for industrial and manufacturing uses by right and office use by special exception. The proposed zoning will be governed by revised 1993 Zoning Ordinance.

The Woodland Plaza will consist of two primary buildings:

- 1) The existing building which will be saved and will be primarily used as a professional office building. The total square footage of this building is 2,186 square feet.
- 2) The new building will consist of 12,182 square feet. The building will contain by-right uses under revised 1993 Zoning Ordinance.

There is a shortage of small office spaces for professional or business service industries within that area. The proposed facility will serve business communities in the Herndon, Reston, Chantilly, Sterling, Ashburn and Cascades areas. This would require Special Exception approval in order to provide the space to small service oriented Businesses within the area.

**SPECIAL EXCEPTION FACTORS FOR CONSIDERATION:**

Section 6-1310 of the Zoning Ordinance outlines various factors for consideration in the review of a special exception request. The following is an analysis of the factors supporting the application for the proposed Center.

**(A) Whether the Proposed Special Exception is Consistent with the Comprehensive Plan.**

The Property is designated for Keynote Employment use in the Sterling Planning area and the office use and employment centers are encouraged to locate within these areas. The proposed uses are consistent with the Comprehensive Plans for this area.



(B) Whether the Proposed Special Exception Will Adequately Provide for Safety From Fire Hazards and Have Effective Measures of Fire Control.

The proposed structures will meet all applicable fire code requirements to provide for safety from fire hazards. The fire code requires sprinklers for the building, a recognized effective measure of fire control.

(C) The Level and Impact of Any Noise Emanating From the Site, Including That Generated by the Proposed Use, in Relation to Uses in the Immediate Area.

There will be no unusual noise generated by the proposed uses. There will not be any outdoor activities which will impact the noise level for the area.

(D) The Glare of Light That May be Generated by the Proposed Use in Relation to Uses in the Immediate Area.

Security and parking lot lighting will be directional to avoid any off site impacts. The exterior lighting will be pole design with a maximum height of 16 feet. The light source will be projected downward to contain the light within the site.

(E) The Compatibility of the Proposed Use with Other Existing or Proposed Uses in the Neighborhood, and Adjacent Parcels.

The Property is situated in industrial community. Surrounding uses include existing and planned are all compatible or more intense than the proposed use.

(F) The Nature and Extent of Existing or Proposed Landscaping, Screening and Buffering on the Site and in the Neighborhood.

Please reference the Special Exception Plat. Landscaping, Screening and Buffering will be accomplished in accord with the Zoning Ordinance Requirements.

(G) Whether the Proposed Special Exception Will Result in the Preservation or Destruction, Loss or Damage of any Topographic or Physical, Natural, Scenic, Archaeological, or Historic Feature of Significant Importance.

There are no known significant features on the property. An archeology report is attached to this application

(H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.

There will be no adverse effect to existing animal habitat, vegetation, water quality or air quality from the proposed use. Utilization of good engineering practices and compliance with County regulations will ensure no negative impact to these environmental features. New landscaping will

be incorporated to enhance the property and comply with zoning requirements.

- (I) Whether the Proposed Special Exception at the Specified Location Will Contribute to or Promote the Welfare or Convenience of the Public.

The Woodland Plaza will offer great potential for increasing the employment center as well as providing business and professional support to local business as well as individual community.

- (J) The Traffic Expected to be Generated by the Proposed Use, the Adequacy of Access Roads and the Vehicular and Pedestrian Circulation Elements (on and off-site) of the Proposed Use, all in Relation to the Public's Interest in Pedestrian and Vehicular Safety and Efficient Traffic Movement.

A detailed traffic analysis has been submitted with the special exception application. The analysis finds that the proposed uses can be adequately served by the area road network. Please reference the accompanying traffic study.

- (K) Whether, in the Case of Existing Structures Proposed to be Converted to Uses Requiring Special Exception, the Structures Meet all Code Requirements of Loudoun County.

The existing structure will be modified to meet all Loudoun County Building Code Requirements.

- (L) Whether the Proposed Special Exception Will be Served Adequately by Essential Public Facilities and Services.

Public Facilities and Services needed for the proposed use primarily consist of water and sewer and emergency services. Public sewer is available cross the street and existing easements are recorded that can be extended to this property. Public water is available along Route 679. Both public water and sewer would be through the Loudoun County Sanitation Authority. Emergency services will be provided by the volunteer fire and rescue services in Loudoun County..

- (M) The Effect of the Proposed Special Exception on Groundwater Supply.

There will be no adverse effect to groundwater supply from the proposed use. Utilization of good engineering practices and compliance with County regulations will ensure no negative impact to groundwater resources.

- (N) The Effect of the Proposed Special Exception on the Structural Capacity of the Soils.

The County regulations require soil analysis as a part of the development process to ensure that the soil will provide adequate capacity for the proposed use. This development will comply with the County's regulations for soil structural capacity requirements.

- (O) Whether the Proposed Use will Facilitate Orderly and Safe Road Development



and Transportation.

The traffic analysis submitted in conjunction with this application finds that the proposed uses can be supported by the transportation network.

- (P) Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

The proposed use will afford employment opportunities through the professional office spaces as well as providing housing for manufacturing and industrial businesses.

- (Q) Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

The requested special exception is in line with Keynote Employment policy of the Comprehensive Plan. It shall promote growth and expansion of both business and industrial uses.

- (R) The location of any existing and/or proposed adequate on and off-site infrastructure.

Public Facilities and Services needed for the proposed use primarily consist of water and sewer and emergency services. Public sewer is available cross the street and existing easements are recorded that can be extended to this property. Public water is available along Route 679. Both public water and sewer would be through the Loudoun County Sanitation Authority.

- (S) Any anticipated odors which may be generated by the uses on site.

There are no odors anticipated from the proposed use.

- (T) Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school

It is anticipated that the initial construction phase for this proposed use shall occur within 12 months following approval of the site plan. The initial construction phase shall include all of the site preparation and infrastructure work. The applicant commits to minimizing the impact of construction on the existing neighborhoods and school by the following actions:

The applicant shall instruct all material suppliers and other project related heavy-construction traffic not to deliver materials or equipment on-site between the hours of 8:00-9:00 a.m. and 3:00-4:00 p.m. during week days. The applicant shall limit site construction to the hours of 7:00 a.m. to 7:00 p.m.

**MODIFICATIONS:**

Pursuant to section 5-900 Paragraph (A) and Sub-paragraph (14 and 15), due to the narrowness of



the lot and requirement to have buildings dominantly visible from the road, we are requesting the following modifications with our application.

Modification to Setback requirement in accordance to Section 4-505(B) and 5-900 of Zoning Ordinance.

Requirement of Section 4-505(B): **Adjacent to roads.** Except where a greater setback is required by Section 5-900, no building shall be permitted closer than thirty five (35) feet to the right-of-way from any road and no parking shall be permitted closer than twenty five (25) feet to the right-of-way from any road. No outdoor storage, areas for collection of refuse, or loading space shall be permitted in such setbacks.

Requirement of Section 5-900: **Access and Setbacks From Specific Roads and the W&OD Trail.** Certain roads within Loudoun County because of their function, location and capacity require that uses be set back a certain minimum distance from them. All other provisions of this Ordinance notwithstanding, all buildings and parking, except for agricultural structures and structures located within Village Conservation Overlay Districts and the Joint Land Management Area Districts, shall be set back as provided below, or the setback provided in an approved corridor study whichever setback is greater, from the existing or planned rights-of-way, whichever is greater. Residences, accessory structures, and accessory uses built before June 16, 1993 are exempt from this provision pursuant to Section 1- 403(D). The following roads are subject to this provision:

**(10) Other Major Collector Roads.**

(a) Building: 75 feet.

(b) Parking: 35 feet.

**(11) All other roads in Nonresidential Districts.**

(a) Building: As specified in applicable district regulations.

(b) Parking: 25 feet unless otherwise specified in applicable district regulations.

Modification Requested are as following:

- a) Modification of setback requirements for building along Cascades Blvd. from 100 feet and 75 feet to 34 feet.
- b) Modification of parking and building setback requirement along Woodland Road. Building Setback will be modified from 35 feet to 22 feet and Parking Set back is being modified from 25 feet to 17 feet.

Modification to Buffer requirement in accordance to Section 5-1403 of Zoning Ordinance.

Requirement: Except where a Type 5 Buffer is required, any property with frontage on an existing or planned four-lane divided roadway shall provide, in lieu of otherwise applicable landscaping, buffering and tree planting along such roads, a Type 3 Front Yard Buffer along the property's frontage on such road, regardless of the present or planned future use on properties on the other side of such road.

Modification: Modification of buffer yard along Cascades Blvd to a minimum of 15 feet buffer as shown on Special Exception and Landscaping Plan.

**JUSTIFICATION:**

This lot is a very narrow and long corner lot which requires innovative design to achieve the goals and

requirements of Zoning and Comprehensive plan. In accordance with section 1-205(C) of the zoning ordinance, the front of the lot shall be along Cascades Boulevard. The existing house has been designated as historic building without any significance that is being remodeled to be used as office building. In order to comply with section 4-503 (G) (3), we are seeking modification to setback and buffer requirements to make the building a prominent feature when viewed from Cascades Blvd. In accordance to section 6-1504 this modification will allow us to make the existing building prominent feature visible both from Cascade Blvd and Woodland Road without increasing the density. The approval of this modification will allow innovative designs features which are in compliance with policies of adopted Land Use Plan such as the park setting at corner of these two major streets.

Being a very narrow lot (139'), we believe modification to setback and buffer requirement along Woodland Road is justified in order to achieve a more alternate design in order to comply with goals and requirements of Comprehensive Plan. This will allow us to make the portion of the building along Woodland Road a more prominent feature when viewed from the road. The parking spaces are being buffered from the road by constructing the 3 feet berm and additional landscaping as shown on Landscaping Plan. These modifications meets section 6-1504 of Zoning Ordinance by allowing portion of building being extended to a point which can be visible from Woodland Road. This modification is not being sought to increase the density of the development. Due to existing structures and buildings west of this site on Woodland Road, buildings, sidewalks and buffers needed to be extended into the setback lines to achieve a more urban design while meeting other requirements.

**SUMMARY:**

The proposed Woodland Plaza meets the revised 1993 zoning requirements for development and is consistent with the policies of the County's adopted land use plans. We respectfully request favorable consideration.





## PROFESSIONAL DESIGN GROUP

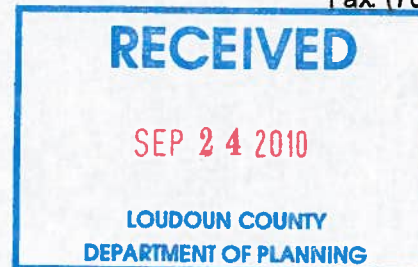
Consulting, Engineering, Inspection, Construction Management, Planning, Surveying  
14301-B Sullyfield Circle, Suite 202  
Chantilly, Virginia 20151-1630

E Mail: [support@pdg-eng.com](mailto:support@pdg-eng.com)

Tel: (703) 378-2101, (703) 631-2344 (Metro)  
Fax (703) 378-2102

September 20, 2010

**TO:** Sophia Fisher, Project Manager  
Land Use Review



**FROM:** Hamid Matin, P.E. Professional Design Group, Inc.  
E-mail: [h.matin@pdg-eng.com](mailto:h.matin@pdg-eng.com)

**Subject:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1

We have reviewed the comments made on above mentioned project and the following is our response to the comments.

### Zoning:

### ISSUES

1. Per Section 6-1504, *No modification shall be approved unless the Board of Supervisors finds that such modifications to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation.* Provide justification on how each modification meets the requirements of Section 6-1504.

Response: *Justification statement has been revised to include the Justification.*

2. Sheet 3, label the limits of the Special Exception. Under the proposed use, state "Office use per 4-504(A) and all other uses permitted in PD-IP under the R1993 Zoning Ordinance that are not proffered out."

Response: *A statement is added on Sheet 3, indicating the limits of office use.*

3. Clarify the size of the existing building footprint. There is a discrepancy between County Records, Statement of Justification and the Plat.

Response: *Statement of Justification is revised.*



## PLAT

4. Since Sheet A1 is a proffered sheet, so there are 5 sheets. Number consecutively the sheets.

Response: *Plan is revised per comment.*

5. Sheet 1, The plat should not have 2 titles. Delete or move up to the title "ZMAP/SPEX Tall Oaks –Lot 1" from the right hand corner of the plat. "Potomac Election District, Loudoun County, Virginia Date: July 2007" is already on the plat and can be deleted.

Response: *Plan is revised per comment.*

6. Sheet 1, under General Notes, state the purpose of the application is to remap the property from the 1972 Loudoun County Zoning Ordinance to the Revised 1993 Loudoun County Zoning Ordinance with a Special Exception for Office use.

Response: *Plan is revised per comment.*

7. Sheet 1, General Note #6, change "an" to "a" and the word "none" should be "non". Remove the "E".

Response: *Plan is revised per comment.*

8. Sheet 1, General Note #14, remove the second "are".

Response: *Plan is revised per comment.*

9. Sheet 1, General Note #15, correct the spelling of "parcel".

Response: *Plan is revised per comment.*

10. Sheet 3, remove the existing fence from the CDP, since it is proposed to go through the building and tree line and onto neighboring properties.

Response: *Plan is revised per comment.*

11. Sheet 3, Include the adjacent parcel information. It is cut off. Note: the property to the north, Cascade Business, the PIN # is 031-49-8458.

Response: *Plan is revised per comment.*

12. Sheet 3, label the 75' building and 35' parking yards along Cascades Parkway.

Response: *Plan is revised per comment.*

13. Sheet 3, show the 35' building setback and the 25' parking setback along Woodland Road. Remove the building and parking from the setbacks.

Response: *Plan is revised per comment.*

14. Sheet 3, correct the labeling of building 1 (1 level). Remove the "s".

Response: *Plan is revised per comment.*

15. Sheet 3, correct the labeling of building 2 "Existing house to be remodeled."

Response: *Plan is revised per comment.*

16. Sheet 4, the size of building #2 is difficult to read.

Response: *Plan is revised per comment.*

17. Sheet 4, correct the labeling of the property to the north, Cascade Business, the PIN # is 031-49-8458.

Response: *Plan is revised per comment.*

18. Sheet 5 (A1), provide a note on this sheet that states: "Separate sign permit required per Section 5-1200."

Response: *Plan is revised per comment.*

19. Sheet 5 (A1) remove "for illustrations only" since this is a proffered sheet and is in substantial conformance.

Response: *Plan is revised per comment.*

#### **PROFFER STATEMENT**

20. The 6<sup>th</sup> line down after PD-IP, staff suggests inserting a "(PD-IP)" after "Planned Development-Industrial Park, since the rest of the document only references PD-IP.

Response: *Revised per comment.*

21. The seventh line down, after Concept Development Plan, staff suggests inserting "prepared by Professional Design Group, Inc." before "dated June..."

Response: *Revised per comment.*

22. On all sheets, the revision dates, drawing dates and the proffer statement dates need to be consistent throughout the application. The CDP is dated January 22, 2007 with revisions through January 6, 2010. Correct the seventh line.

Response: *Plan is revised per comment.*



23. The ninth line, in the first paragraph, staff suggests changing the number of sheets to 1 through 5.

Response: *Revised per comment.*

24. Under Concept Development Plan, staff suggest that the substantial conformance be with "Sheet 3 of 5" since there are four sheet in the set.

Response: *Plan is revised per comment.*

25. The fifth sentence under Concept Development Plan, staff suggests removing "and incorporated herein by reference as Exhibit A", since nothing is labeled "Exhibit A."

Response: *Revised per comment.*

26. Under Use Limitations, first line, staff suggests stating that "building #2 will be developed for office per section 4-504(A) and the property will be developed for all uses under PD-IP zoning District of the Revised 1993 Zoning Ordinance except for the following uses: park; water pumping station; utility subdivision, dedicated; sewer pumping station. The following Special Exception Uses are not permitted: Golf driving range; Fire and/or rescue station; Firearm Range, archery range, indoor; police station; Telecommunication antenna; Hotel/Motel; water treatment plant. Other Special Exception uses may be permitted upon Special Exception approval."

Response: *Revised per comment.*

27. Under Use Limitations, staff suggests removing "The retail use will be limited to maximum of 5% of total gross floor area of buildings" since this is not a permitted use in the district.

Response: *Revised per comment.*

28. Under Sidewalks and trails, this proffer should be expanded to include discussion about the easement and the trigger point on when this will be developed.

Response: *Revised per comment.*

29. Under Building, staff suggests inserting "January 20, 2009 through October 30, 2009 as prepared by Arencibia Architects, Inc. shown on Sheet 5" after "Schematic plans dated".

Response: *The proffer is revised to include Sheet A1. The cover sheet of plans is also proffered to show A1.*

30. Under Water and Sewer, staff suggests changing LCSA to "Loudoun Water".

Response: *Revised per comment.*



31. Under Water and Sewer, staff suggests including "at no cost to the County" to the end of this proffer

Response: *Revised per comment.*

#### **STATEMENT OF JUSTIFICATION**

32. Update the revision date of the Statement of Justification.

Response: *Revised per comment.*

33. First page under #2, the new building is shown on the plat as having 12,182 square feet. Change the second sentence to say, "The building will contain by-right uses under the Revised 1993 Zoning Ordinance."

Response: *Revised per comment.*

34. Page 4 of 5, in the paragraph above "Modifications", change all "will" to 'shall'.

Response: *Revised per comment.*

35. As mentioned in comment #1, include the justification for each modification.

Response: *Include under Justification portion.*

#### **LOUDOUN WATER:**

1. Show construction of public water and sewer along Cascades Parkway (including providing easements). Sewer access is available at an existing manhole on the south side of Woodland Road.

Response: *See sheet 3 for location of proposed water line and associated easement. A sanitary easement is depicted on plans for extension of sewer to adjacent property.*

2. Should offsite easements be required to extend public water and/or sanitary sewer to this site, the applicant shall be responsible for acquiring such easements and dedicating them to the Authority at no cost to the County or to the Authority.

Response: *It is our understanding that offsite easement is existing and in place for extension of sanitary sewer.*

3. Public water and sanitary sewer service would be contingent upon the developer's compliance with Loudoun Water's Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Response: *See Note 9 on Sheet 1.*

**ENVIRONMENTAL:**

Note 13 on Sheet 1 states that low impact facilities shall be utilized during final engineering and designed to achieve 65 percent phosphorus removal efficiency. Since Sheet 1 is not a proffered plan sheet, staff recommends that a commitment be provided specifying that the water quality approach shall achieve a 65 percent phosphorous removal efficiency, as per Table 2-3 of the Virginia Stormwater Management Handbook. [Revised 1993 Loudoun County Zoning Ordinance (RZO) Sections 6-1211(E)(9) and 6-1310(H).

Response: *Sheet 1 has been added to proffers.*

If you have any questions concerning the above comments, I can be reached at (703) 378-2101.



## PROFESSIONAL DESIGN GROUP

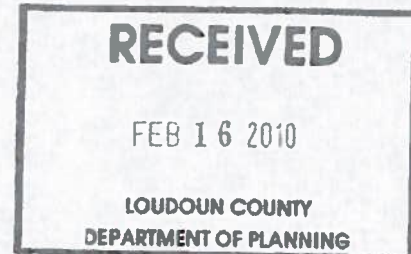
E Mail: [support@pdg-eng.com](mailto:support@pdg-eng.com)

Consulting, Engineering, Inspection, Construction Management, Planning, Surveying  
14301-B Sullyfield Circle, Suite 202  
Chantilly, Virginia 20151-1630

Tel: (703) 378-2101, (703) 631-2344 (Metro)  
Fax (703) 378-2102

February 9, 2010

**TO:** Sophia Fisher, Project Manager  
Land Use Review  
Email:  
**FROM:** Hamid Matin, P.E. Professional Design Group, Inc.  
E-mail: [h.matin@pdg-eng.com](mailto:h.matin@pdg-eng.com)  
**Subject:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1



We have reviewed the comments made on above mentioned project and the following is our response to the comments.

### Zoning: ISSUES

1. Per Section 1-403(B) "*A nonconforming structure shall not be enlarged, increased, nor extended to occupy a greater area of land than was occupied at the effective date of this Ordinance unless such improvements do not increase the degree of nonconformity.*" The footprint of the existing nonconforming structure may not be increased unless the expansion meets the setback requirements of the current ordinance. It appears that the patio will become enclosed stairs, therefore increasing the structure. A modification needs to be requested for this structure. *The footprint of the existing building is not being enlarged or expanded in anyway. The existing basement will become the ground floor and a modification is being requested.*
2. A second modification should be requested for the existing building located in the proposed buffer yard. *This modification is being requested with justification letter.*
3. On all sheets, the revision dates, drawing dates and the proffer statement dates need to be consistent throughout the application. *This comment has been addressed.*
4. Sheet 3, show the SPEX area and indicate what SPEX is being asked for on the plat. *This comment has been addressed.*
5. This application will not resolve the violation on the pending appeal. *This comment is acknowledged.*

### PLAT

6. Sheet 1, County records show the owner's address is: 811 Gouldman Ln, Greatfalls, VA 22066. *Plan is revised per comment.*
7. Sheet 1, General Note #1, the instrument number is 200706270048343. *Plan is revised per comment.*



8. Sheet 3, the F.A.R. for building 2 should include the basement and the enclosed stairway. *The FAR does include basement and all other qualified structure.*
9. Sheet 3, under Lot Requirements, remove "except as provided in Section 4-505(C)" from the yards adjacent to roads description and "Adjacent to Other Nonresidential Districts".
10. Sheet 3, under Building Requirements, the lot coverage under the R1993 is 0.45 and the building height is 45'. *Plan is revised per comment.*
11. Sheet 3, the property to the north, Cascade Business, the PIN # is 031-49-8458. *Plan is revised per comment.*
12. Sheet 3, per Section 5-1403(E) a type 3 buffer is required adjacent to Cascades Parkway. This front buffer is 20' – 30' wide not 15'. *A modification is requested per our meeting.*
13. Sheet 3, show the 35' building setback and the 25' parking setback along Woodland Road. Remove the building and parking from the setbacks. *A modification is requested per our meeting.*
14. Sheet 3, show the 75' building and 35' parking setback. *Plan is revised per comment.*
15. Sheet A1, signs shown require a separate sign permit. Provide a note to that extent. *This comment is acknowledged.*

#### **PROFFER STATEMENT**

1. The title of the Proffer Statement should reflect the name of the property "Woodland Plaza" not Industrial Park "A.". *Plan is revised per comment.*
2. First paragraph second line, staff suggests changing the word Applicant to owners and also change the word applicant on the last line of the first paragraph. *Plan is revised per comment.*
3. First paragraph sixth line, staff suggests inserting "administered under the Revised 1993 Zoning Ordinance" after zoning district. *Plan is revised per comment.*
4. First paragraph seventh line, the revision date is through June 29, 2009. *Plan is revised per comment.*
5. First paragraph eighth line, staff suggests naming the application "ZMAP 2007-2006 Woodland Plaza" sheets 1 through 3 and 3A *Plan is revised per comment.*
6. First paragraph, 10<sup>th</sup> line, the Code of Virginia is Section 15.2-2303. *Plan is revised per comment.*
7. First paragraph 14<sup>th</sup> line (last line), staff suggests inserting after ZMAP 2007-0006 "to change the zoning of the property from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Zoning Ordinance. *Plan is revised per comment.*
8. Under Concept Development Plan, staff suggests revising the first sentence to "substantial conformance with Sheet 3 of 3, and any matters shown on any other sheets that are referenced on Sheet 3, of the plan set entitled "Special Exception Plat/Concept Development Plan" dated January 22, 2007, with revisions through June 29, 2009, prepared by Professional Design Group, Inc." *Plan is revised per comment.*
9. Third sentence under Concept Development Plan, the plan is dated June 18, 2007 (see comment 6). *Plan is revised per comment.*
10. The fifth sentence under Concept Development Plan, staff suggests removing "and incorporated herein by reference as Exhibit A" (see comment 6). *Plan is revised per comment.*
11. The seventh sentence under Concept Development Plan, Sheet 3 the title should read Concept Development Plan not Plat as shown on the title bar on Sheet 3. *Plan is revised per comment.*

12. Staff suggests adding a trigger and commitment regarding the sidewalk and trail. *Plan is revised per comment.*

**Office of Transportation Services:**

**Comment # 2.** The applicant should provide a 14-foot easement along its property line on Cascades Parkway and construct a 10-foot multi-purpose trail consistent with AASHTO standards. This multi-modal improvement was provided by Cascades Center a short distance to the north on Cascades Parkway.

**Status: Comment # 2 is not resolved.** Although the applicant is showing a 10-foot trail, it is not clear if the trail will be constructed within an easement or within the needed right-of-way, see new comment # 4 for more details. Please clarify the trail's location after addressing comment #4. *The 10 foot trail is provided within the right of way. However a portion of it falls within the property line therefore the 14 feet easement is provided.*

**Comment # 3.** The applicant should provide a 5-foot sidewalk along its Woodland Road frontage. This improvement could be provided in the VDOT right-of-way or in an on-site easement (final decision at site plan).

**Status: Comment # 3 is not resolved.** Due to the proximity of this sidewalk to the Claude Moore Park and based on County's recent efforts to provide better accessibility around the park, OTS would like to revise the comment previously provided and require a 6-foot sidewalk along Woodland Road instead of 5-foot side walk. *The sidewalk along Woodland Road is revised to 6 feet.*

**NEW Comment # 4.** According to the Loudoun County Land Management Information System (LMIS), this site has not dedicated the appropriate right-of-way for Cascades Parkway as depicted on the plat (See Attachment 1). The Countywide Transportation Plan (CTP) calls for a 120-foot right-of-way for Cascades Parkway. The applicant needs to dedicate the right-of-way from the centerline to the property line (approximately 63 feet) to be consistent with the plat. *The right of way has been dedicated during the expansion of Cascades Blvd. Please see attached plat.*

**NEW Comment # 5.** OTS recommends the applicant to provide a crosswalk across Cascades Parkway on their corner. OTS is aware there is not an existing sidewalk/trail on the eastern side of Cascades Parkway, but a pedestrian facility is being considered through the Claude Moore Park Access efforts and the crosswalk will be very useful. *Currently there is no sidewalk on opposite side of Cascades Blvd. therefore the employees of this development will not be crossing the parkway at this location.*

**Community Planning Recommendation:**

Staff recommends that the applicant commit to limiting the retail uses to five percent of the total square footage of the buildings in order to be considered ancillary to the development as envisioned by the Keynote Policies of the Revised General Plan and the Retail Plan. *Please see the revised proffers.*

Further, it is recommended that the front of the eastern office building face toward Cascades Parkway and that the site be designed to have the buildings the prominent feature on-site with the parking located to the rear of the building. Staff recommends the applicant commit to the details on the proposed design, architecture and building materials.



*The existing building is being remodeled and will be used to make the building as a prominent feature of the site. The architectural plans have been revised to address this recommendation.*

Staff continues to recommend that any mitigation required as a part of the wetlands permit with the Department of Environmental Quality be provided on-site or within the impacted policy area. *Wetland Permit has been issued and no mitigation is required.*

Staff continues to recommend a condition of approval to ensure the landscaped areas will be maintained for the life of the project. The use of native plant and tree species is encouraged. *Please see landscaping plan on sheet 4.*

Staff recommends that the sidewalk along Woodland Road be increased from 5 feet to 6 feet with vegetated buffers of at least 4 feet provided between these facilities and the adjacent roadways. Staff continues to recommend that the applicant install appropriate intersection treatments so that employees can safely cross Cascades Parkway to the adjacent Claude Moore Park and its trail system. *The sidewalk is revised along Woodland Road. Currently there is no sidewalk on opposite side of Cascades Blvd. therefore the employees of this development will not be crossing the parkway at this location.*

Staff continues to recommend that the CDP be updated to include the area for public open space. *The area to the south of the existing building and at the corner of Cascade Parkway and Woodland Road will be used for outdoor usable space. Please see the landscape plan.*

#### **Environmental Review Recommendations:**

1. Note 11 on Sheet 1 states that wetlands shown on the plans were delineated by Wetland Studies and Solutions, Inc. Note 12 on Sheet 1 states that regulated waters and wetlands shown are based on a wetland delineation conducted by Jeffery A. Wolinsky and confirmed by Corps Jurisdictional Determination #2008-1722, dated September 24, 2008. Please correct this discrepancy. Staff also recommends adding a note stating the following: "Impacts to the intermittent stream channel were approved as part Virginia Department of Environmental Quality (DEQ) Virginia Water Protection (VWP) General Permit No. WP4-08-1359, authorized on October 8, 2008". *Please see revised note 11 on sheet one.*
2. The applicant's responses state that they are considering use of a combination of different BMP facilities for the project, and during final site plan preparation and engineering the project will use Filterra structures, porous pavement within a portion of the proposed parking, and small bioretention basins within parking lot islands. To demonstrate that the project minimizes impacts to water quality, which is an issue for consideration in Sections 6-1211(E)(9) and 6-1310(H) of the Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO), ERT recommends a commitment to a water quality approach that achieves a 65 percent phosphorous removal efficiency for the project site. *Please see revised note 13 on sheet one.*
3. To encourage pedestrian and bicycle activities, staff supports the 10-foot trail along Cascades Parkway. Staff defers to the Office of Transportation Services regarding the trail location. *The requested trail is provided; please see sheet 3.*



Please note that the responses are in blue and italic. If you have any questions concerning the above comments, I can be reached at (703) 378-2101.

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## PROFESSIONAL DESIGN GROUP

E Mail: [support@pdg-eng.com](mailto:support@pdg-eng.com)

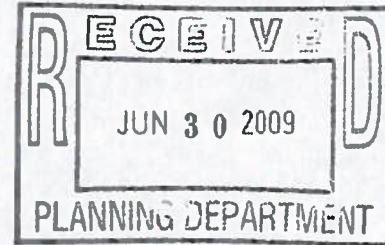
Consulting, Engineering, Inspection, Construction Management, Planning, Surveying  
14301-B Sullyfield Circle, Suite 202  
Chantilly, Virginia 20151-1630

Tel: (703) 378-2101, (703) 631-2344 (Metro)  
Fax: (703) 378-2102

June 29, 2009

**TO:** Sophia Fisher, Project Manager  
Land Use Review  
Email:

**FROM:** Hamid Matin, P.E. Professional Design Group, Inc.  
E-mail: [h.matin@pdg-eng.com](mailto:h.matin@pdg-eng.com)



**Subject:** ZMAP 2007-0006 & SPEX 2007-0054, Tall Oaks Subdivision Lot 1

We have reviewed the comments made on above mentioned project and the following is our response to the comments.

### **Zoning:**

1. If a request for a setback modification is being made, then a justification needs to be provided in the narrative per Section 6-1504.

*We believe that modification for setback will not be required since existing building will only renovated. The building has been constructed before the setback requirements and before dedication to Cascade Parkway.*

2. Include in the Zoning Tabulation on Sheet 3 with calculations for PD-IP under both the 1972 Zoning Ordinance and the Revised 1993 Zoning Ordinance (with the December 3, 2007 updated Zoning Ordinance amendments).

*The Zoning Tabulation reflects both 1972 and 1993 ordinance and it does reflect the latest zoning requirements.*

3. Please include SPEX # 2007-0054 and ZCPA 2007-0006 on the plat.

*Added to the cover sheet.*

4. Please note that no floodplains and no steep slopes are present on the site.

*Added to the cover sheet.*

5. Please label structures to be removed (trailers, shed, old entrance, etc.).

*This comment has been addressed on sheet 2.*

6. Please remove specific buffer yard and parking requirements until specific uses are known.

*The specific uses may not be known until such time as the development is constructed. Therefore the site is designed based on by right uses under 1993 revised zoning ordinance. We are seeking modification to buffer area requirements for all by right uses.*

7. Sheet 1 under General Notes, include that the parcel is 1.41 acres.

*This note is added*

8. Sheet 1 under General Notes, please list that the parcel is in the Route 28 tax district.

*This note is added.*

9. Sheet 1, update the applicant/owner name to include both owners (Susan and Moe Gharai) and provide the address according to the County Records. *The applicant's name is updated.*
10. Sheet 3, the proposed use "Industrial" is not a listed use. The proposed uses are "office and other uses permitted in PD-IP under the Revised 1993 Zoning Ordinance." *The note is revised.*
11. Sheet 3, the required landscape open space is 0.20 not 0.10. Also, if the square footage of the entire lot is 61,475 s.f. How can the landscape open space calculation show 113,358 s.f.? *Tabulation is revised.*
12. Sheet 3, please label the neighboring parcel to the east. *All neighboring property owners are labeled.*
13. Sheet 3, the parcel to the south pin #031-49-4107 use is warehouse not commercial. Please correct. *Plan is revised per comment.*

#### **Office of Transportation Services:**

The applicant should provide a 14-foot easement along its property line on Cascades Parkway and construct a 10-foot multi-purpose trail consistent with AASHTO standards. This multi-modal improvement was provided by Cascades Center a short distance to the north on Cascades Parkway. *Plan is revised per comment.*

The applicant should provide a 5-foot sidewalk along its Woodland Road frontage. This improvement could be provided in the VDOT right-of-way or in an on-site easement (final decision at site plan). *Plan is revised per comment.*

#### **Community Planning Recommendation:**

1. Removal of the existing building to accommodate better site design;  
*The existing building is being remodeled and will be used to make the building as a prominent feature of the site. Due to setback requirement from Cascade Parkway, removal of the building will not provide any better area or features that will enhance the site design.*
2. Making the building the prominent feature on the site;  
*The site layout has been revised to make the building the prominent features of the site.*
3. Provide details on the proposed design and architecture;  
*Architectural elevation and design of building is provided.*
4. Provide pedestrian/bicycle connections; and, Provide usable outdoor space for employees.  
*The area to the south of the existing building and at the corner of Cascade Parkway and Woodland Road will be used for outdoor usable space.*

#### **Environmental Review Recommendations:**

1. A wetland delineation prepared by Wetland Studies and Solutions, Inc., dated May 16, 2006, was provided with the application materials. Please clarify whether a jurisdictional determination has been issued. If a jurisdictional determination has been issued, please update Note 12 on Sheet 1 as follows: "Regulated waters and wetlands shown are based on a wetland delineation conducted by Wetland Studies and Solutions, Inc. and confirmed by Corps Jurisdictional Determination # insert Corps project number, dated insert date".  
*This comment has been addressed.*
2. Staff encourages preservation of jurisdictional waters and wetlands on site due to the water



quality and ecological benefits they provide. The proposed layout will result in impacts to jurisdictional waters and wetlands associated with the proposed building and parking. Staff recommends that the layout be revised to avoid and minimize impacts, consistent with River and Stream Corridor Resource Policies 1 and 11 in Chapter 5 of the Revised General Plan (RGP) (Pages 5-6 and 5-9).

*The wetlands located on this parcel are limited within stream banks with no or very limited live vegetations or biological benefits. The area is already disturbed by construction of Cascade Pkwy and Woodland Road. We have considered other site design and found that the wetland area cannot be saved without huge impact on development of this property.*

3. Staff requests additional information on the status of the applicant's state and federal wetland permits and the extent of the required mitigation. Staff emphasizes the importance of mitigating wetland and stream impacts close to the impact area to help maintain water quality and flood protection functions, as well as habitat. As such, for any necessary mitigation, staff recommends that the applicant commit to prioritizing mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ). This approach is consistent with Policy 23 on Page 5-11 of the RGP which states that "the County will support the federal goal of no net loss to wetlands in the County." Furthermore, the County's strategy is to protect its existing green infrastructure elements and to recapture elements where possible [RGP, Page 6-8, Green Infrastructure Text]. *A copy of wetland permit is provided.*

#### *Regarding water quality*

4. The February 1, 2007 letter associated with the pre-application submittal materials states that stormwater management (SWM)/best management practices (BMP) will be provided onsite using underground detention and low impact development (LID) practices. An underground SWM facility is depicted on Sheet 3. The Surface Water Policies within the RGP support the implementation of LID techniques (Page 5-17). Please provide additional information regarding the locations and type(s) of the LID measures that will be incorporated into the project, consistent with Item K4 of the rezoning checklist. This information is also needed to demonstrate that the project achieves SWM/BMP objectives and to evaluate the effect of the proposed project on water quality, as required by Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) Section 6-1211(E)(9). Given the high impervious ratio for this use, a BMP with 65-percent phosphorous removal should be chosen. Staff recommends that the applicant consider bioretention that is connected to an underground vault to store stormwater quantity. Staff further recommends that the applicant consider cistern storage of rooftop runoff that can be harvested for buffer irrigation.

*At this point we are considering use of combination of different BMP facilities on this project, during the final site plan preparation and engineering the project will uses Filterra Structures as well as Porous Pavement within some portion of parking spaces and small Bioretention basin within the islands closer the building and southeast corner of the site.*



*Other*

5. Staff encourages application of green building standards with this application. This commitment is consistent with the General Water Policies supporting long-term water conservation (Policy 1, Page 2-20), the Solid Waste Management Policies supporting waste reduction, reuse, and recycling (Policy 2, Page 2-23), and the Air Quality Policies supporting the creation of pedestrian and bicycle facilities (Policy 1, Page 5-41). Furthermore, the County encourages project designs that ensure long-term sustainability, as discussed in the Suburban Policy Area, Land Use and Pattern Design text (Page 6-2). Note that the "One Steeplechase" commercial office development, which is located in the general area of this project, is currently going through the Leadership in Energy and Environmental Design (LEED) certification process (<http://www.usgbc.org/LEED/Project/RegisteredProjectList.aspx>).

Accordingly, staff recommends that the design and construction of this application incorporate LEED traits into some or all of the proposed uses.

*The LEED traits will be incorporated into some of the aspect of the proposed development and uses during final design and engineering.*

6. To reduce vehicular traffic/demand on roadways and to encourage pedestrian and bicycle activities as commuting alternatives, staff recommends providing a 10-foot multi-use trail along Cascades Parkway. Likewise and as stated above, staff supports including bicycle parking and shower facilities as part of this project.  
*A ten feet bike trail and bicycle parking has been provided on the plans.*
7. Consistent with the Forest, Trees, and Vegetation Policies on Page 5-32 of the RGP and Section 5-1403(B) of the Revised 1993 LCZO, staff recommends that the applicant consider utilizing the existing tree cover along the western property line to fulfill or partially fulfill the buffer yard requirement.  
*The trees along western boundary line will be preserved to extend possible during final engineering and site plan process.*

Please note that the responses are in blue and italic. If you have any questions concerning the above comments, I can be reached at (703) 378-2101.

PROFFER STATEMENT

Woodland Plaza

Tall Oaks Lot 1

ZMAP 2007-0006

July 21, 2009

Revised September 20, 2010

RECEIVED

NOV 10 2010

LOUDOUN COUNTY  
DEPARTMENT OF PLANNING

Susan & Moe Gharai, the owner of the property described as Lot One, Tall Oaks (PIN# 031-49-7342) on Loudoun County Tax Map 81 B3-1 (collectively "The Owners") on behalf of themselves and their successors in Interest, hereby voluntarily proffer that in the event that the above referenced lot (the "Property") is rezoned by the Loudoun County Board of Supervisors (herein after referred to as "the County") to the Planned Development-Industrial Park (PD-IP) zoning district administered under the Revised 1993 Zoning Ordinance, as substantially set forth in the Concept Development Plan prepared by Professional Design Group, Inc., dated January 22, 2007, with revisions through November 05, 2010, and further described in its application "ZMAP 2007-2006 Woodland Plaza" sheets 1 through 4 & A1, the development of the Property shall be in substantial conformance with the following conditions, pursuant to Section 15.2-2303 of the CODE of VIRGINIA (1950) as amended. These proffer conditions are the only conditions offered on this rezoning, and any prior conditions applicable in the Property are hereby declared void and of no effect provided that these proffers shall become effective only upon final approval of the Zoning Map Amendment application ZMAP 2007-0006 to change the zoning of the property from PD-IP under the 1972 Zoning Ordinance to PD-IP under the Revised 1993 Zoning Ordinance, submitted by the Owners.

1. CONCEPT DEVELOPMENT PLAN

The development of the Property shall be in substantial conformance with Sheet 1 & 3 of 4, and any matters shown on any other sheets that are referenced on Sheet 1 & 3, of the plan set entitled "Special Exception Plat/Concept Development Plan" dated January 22, 2007, with revisions through November 05, 2010, prepared by Professional Design Group, Inc. The sheet is more specifically identified as Sheet 3 - "Special Exception Plat/Concept Development Plan", (and any matters shown on any other sheets that are referenced on Sheet 3) shall control the general development, layout and configuration of the Property, provided that all requirements of the PD-IP zoning district of the Revised 1993 Zoning Ordinance must be met and will take precedence over the Concept Development Plan, with exception of modifications requested.

2. USE LIMITATIONS:

Entire Building #2 and portion of Building #1 will be developed for office per section 4-504(A) and the property will be developed for all other permitted uses under PD-IP Zoning District of the Revised 1993 Zoning Ordinance except the following uses.

- Park;
- Water pumping station;
- Utility substation, dedicated;
- Sewer pumping station;

The following Special Exception Uses are not permitted:

- Golf driving range;
- Fire and /or rescue station;
- Firearm Range, archery range, indoor;
- Police station;
- Telecommunication antenna;
- Hotel/Motel;
- Water treatment plant;

Other Special Exception uses may be permitted upon Special Exception approval.



3. SIDEWALKS AND TRAILS:

The owner will bond and construct a 6 feet sidewalk along Woodland Road and a 10 feet asphalt trail along Cascades Blvd. All easements associated with these improvements shall be fully dedicated prior to the approval of the Final Site Plan.

4. BUILDING:

The design of building shall be in substantial conformance with the elevations and schematic plans dated January 20, 2009 through November 01, 2010 as prepared by Arencibia Architects, Inc., as shown on sheet 5.

5. WATER AND SEWER:

Water and sewer shall be extended to this development in accordance with Loudoun Water requirements and approval. Prior to Final Site Plan approval, water and sanitary sewer easement shall be extended and dedicated to Loudoun Water Authority to provide access to sanitary sewer and water located at the north of this property (PIN # 031-49-8458) at no cost to the County.

6. LANDSCAPING:

Type 3 buffer planting shall be provided along the east and south property boundaries and shall be provided at the time of site plan. A 3' berm shall be provided along the south property boundary. The buffer planting and berm are provided to mitigate the impacts of reducing the building and parking setbacks on the east and south sides of the property. All landscaping shall be maintained in good health and dead or diseased landscape materials shall be replaced.

The undersigned hereby warrants that all the owners of a legal Interest of the Property have signed this proffer statement, that he/she has full authority to bind the Property to these conditions, either individually or jointly with the owner affixing their signature hereto, and that the foregoing proffers are entered into voluntarily.

By: \_\_\_\_\_;

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

County of Loudoun, Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing instrument has acknowledged the same before me.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

My Commission Expires:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Public

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



County of Loudoun, Commonwealth of Virginia

I, the undersigned notary public, in and for the state and city/county aforesaid, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing instrument has acknowledged the same before me.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

My Commission Expires:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Public

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